



# General Assembly

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**56**<sup>th</sup> plenary meeting

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Official Records

*President:* Mr. Ali Abdussalam Treki . . . . . (Libyan Arab Jamahiriya)

*The meeting was called to order at 10.20 a.m.*

## Agenda item 76

### Oceans and the law of the sea

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

#### Reports of the Secretary-General (A/64/66 and Add.1 and Add.2)

#### Report on the results of the assessment of assessments (A/64/88)

#### Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its tenth meeting (A/64/131)

#### Report on the work of the Ad Hoc Working Group of the Whole to recommend a course of action to the General Assembly on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects (A/64/347)

#### Draft resolution (A/64/L.18 and Corr.1)

#### (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/64/305)

### Draft resolution (A/64/L.29)

**The President** (*spoke in Arabic*): I give the floor to the representative of the United States of America to introduce draft resolution A/64/L.29.

**Ms. Ross** (United States of America): My delegation has the honour to be a sponsor of draft resolution A/64/L.18, entitled “Oceans and the Law of the Sea”. We also have the honour to introduce, on behalf of the sponsors, draft resolution A/64/L.29, on sustainable fisheries.

I should like to begin by expressing appreciation for the spirit of cooperation exhibited by delegations involved in crafting both resolutions this year. It is our hope that that spirit of cooperation will also characterize our efforts to address the numerous and complex issues that lie ahead in the new year.

The United States is very pleased with the successful outcome of this year’s review in the Informal Consultative Process on Oceans and the Law of the Sea. The Process is a useful forum for informing policymakers about cutting-edge oceans issues, including their relationship to sustainable development of the oceans and marine resources. Following this year’s review of that Process and agreement on improvements to it, we look forward to addressing capacity-building in ocean affairs and the law of the sea, including marine science, in 2010 and other critical oceans-related issues in the years beyond.

This year’s resolution on sustainable fisheries once again contains important provisions to address

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critical issues such as better regulation of destructive fishing practices, control of illegal, unregulated and unreported (IUU) fishing, reduction of fishing capacity, emphasis on science-based conservation and management measures, implementation of the United Nations Fish Stocks Agreement, strengthened conservation and management of sharks, and other important matters. However, perhaps the most notable aspect of this year's resolution is the provisions to strengthen and enhance the regulation of bottom-fishing activities and the impact of such activities on vulnerable marine ecosystems in areas beyond national jurisdiction.

In 2006, the United States, along with many other countries, successfully sought strong provisions in the sustainable fisheries resolution to address the critical gap in oceans governance with respect to bottom fisheries. In our view, the provisions contained in resolution 61/105 were a landmark step forward for sustainable bottom fisheries and in protecting fragile and rare marine ecosystems from adverse impacts of fishing activities.

In the three years since the adoption of resolution 61/105, the international community has made significant and important progress in implementing the calls made in it. This year's sustainable fisheries draft resolution reviews the progress in implementing those calls and further refines recommendations to assist States and regional fisheries management organizations with the implementation of those provisions. Delegations recognized that States and regional fisheries management organizations and arrangements (RFMOs) have taken important and tangible steps to implement resolution 61/105, including beginning — and, in the case of the South Pacific, completing — negotiations to establish two new RFMOs where they do not currently exist. However, delegations also expressed concern that implementation has been uneven and not sufficient in all cases. Therefore, delegations crafted language to strengthen and focus action where it is urgently needed.

As a result, the United States is pleased that this year's sustainable fisheries draft resolution contains a package of provisions that clearly articulates what urgent actions States and RFMOs should take to ensure full implementation of resolution 61/105, and that it encourages enhanced cooperation among States and RFMOs in achieving that goal. The United States will continue to work with others to advance this issue

through the relevant RFMOs and through negotiations to establish new organizations.

Much work remains if we are to ensure the sustainability of global fish stocks. RFMOs continue to be the best available mechanism for regulating international fisheries. Nonetheless, there is much room for improvement within those organizations to advance our common goals. To that end, a number of RFMOs have embarked on systematic reviews of their performance. Those efforts must be recognized and commended. However, the recommendations of those reviews must now be implemented to bring about much-needed reform and modernization within RFMOs. Such reform must also address how States implement and enforce the rules that they adopt as members of such organizations. The United States will be looking ahead to the United Nations Fish Stocks Agreement Review Conference, scheduled for May 2010, as a venue to consider that and other critical issues facing international fisheries.

I wish to thank all the delegations for their hard work in the development of the sustainable fisheries draft resolution. The United States was once again proud to provide the coordinator for the informal consultations, Ms. Holly Koehler, who led the negotiations to their successful conclusion, and we greatly thank her for her work to that end.

**Mr. Lundkvist** (Sweden): I have the honour to speak on behalf of the European Union (EU). The candidate countries Croatia and the former Yugoslav Republic of Macedonia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia, as well as Ukraine, the Republic of Moldova, Armenia and Georgia align themselves with this statement.

This year, the European Union has once again demonstrated its commitment to the United Nations Convention on the Law of the Sea and to the 1995 United Nations Fish Stocks Agreement by actively participating in the consultations that led to the draft resolutions before the General Assembly today. The European Union believes that the Convention is an important instrument that promotes stability, peace, progress and economic and social advancement, in accordance with the purposes and principles of the United Nations. It therefore holds special significance in a difficult international context. The European

Union would like to reiterate the importance it attaches to preserving the Convention's integrity and the Convention's pre-eminent role as the legal framework for all ocean issues and ocean-related activities. The European Union calls upon all States to accede to the Convention and to the Agreement relating to the implementation of Part XI of the Convention.

The European Union reiterates the importance it attaches to the freedom of navigation, the right of innocent passage and the right of transit passage in compliance with the relevant provisions of the Convention. The European Union would further like to reiterate its deep concern about the continued acts of piracy, which are detrimental to the safety of persons and property, whether vessels are attacked or hijacked or prisoners are held for ransom. In view of the resurgence of such acts, the international community has committed itself to combating this scourge within the United Nations framework. In that regard, we note the efforts of the Contact Group on Piracy off the Coast of Somalia.

Other major challenges remain, such as the declining quality of the marine environment and the destruction of natural marine resources. Marine biodiversity is being threatened, and time is running out if we are to meet the deadlines set in the 2002 Johannesburg Plan of Implementation. The European Union remains firmly committed to addressing those challenges.

The European Union has repeatedly and in various forums expressed its concerns over the loss of marine biodiversity and has supported the initiative taken by the General Assembly to create an Ad Hoc Open-ended Informal Working Group on the matter. The European Union welcomes that the Working Group will reconvene in early 2010 and that its mandate has been confirmed. We also welcome that States are invited to further consider issues of marine protected areas and environmental assessment processes in the context of the Group's mandate. The Working Group is in a position to make important recommendations to the Assembly, with a view to forging ahead on the sensitive issue of the conservation and sustainable use of biological diversity beyond areas of national jurisdiction.

The draft omnibus resolution notes the concerns raised in relation to the issue of climate change and its effects on the oceans, seas and natural resources. In

that regard the EU would have wished to highlight the state of the Arctic region as a priority area for research. We would also have wished to see a reference to the forthcoming United Nations Framework Convention on Climate Change Conference, to be held in Copenhagen from 7 to 18 December 2009. To respond to the debates within the international community, the draft resolution takes into account various issues relating to climate change, such as eutrophication, acidification, fertilization, the discharge of carbon dioxide into the atmosphere and greenhouse gases. The international community for the law of the sea must take an active role in the movement to prevent and combat climate change.

At a time when the international scientific community must inspire the work of States and international organizations, the European Union recognizes the relevance of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects. We welcome the convening of another meeting of the Ad Hoc Working Group in 2010, which confirms that the real start-up of the first cycle of the process has begun.

In 1999 the General Assembly created a useful and efficient tool for preparing for its debates on oceans and the law of the sea, namely, the Open-ended Informal Consultative Process on Oceans and the Law of the Sea. This year, at its ten-year juncture, the focus of discussion was on the implementation of the outcome of the Consultative Process. A very useful review of its achievements and shortcomings in its first meetings was undertaken. The review made clear that the Consultative Process has served and will continue to serve its purpose. The European Union looks forward to the discussions at next year's Consultative Process, the theme of which will be capacity-building in oceans affairs and the law of the sea, including marine science. We note the agreement of all parties during the negotiations that this theme should incorporate the issue of the mitigation of the effects of climate change, particularly in respect of developing countries.

The European Union is concerned about the substantially increased workload of the Commission on the Limits of the Continental Shelf and is mindful of the need to find a sustainable solution to that problem. We therefore welcome the decision of the Nineteenth Meeting of States Parties to the Convention on the Law

of the Sea to facilitate an informal working group to continue consideration of how to address that important issue. In relation to the Commission's ongoing work, the European Union welcomes the fact that the summaries of most recommendations have been made publicly available, thus enabling all parties to have a better understanding of the entire process. We encourage the Commission to continue to comprehensively reflect its reasoning in the summaries of recommendations, in accordance with the rules of procedure and the confidentiality of the information provided to the Commission.

With its 148 operative paragraphs, this year's draft resolution on sustainable fisheries has reached an extent which makes it difficult to manage, and the European Union would be in favour of efforts to shorten the resolution in the years to come. Nevertheless, this year a crucial part of the resolution consists of the important review of resolution 61/105 in relation to the impact of bottom fishing on vulnerable marine ecosystems (VMEs), as called for in paragraph 91 of that resolution.

Resolution 61/105 represented a real regime shift, which the EU fully supported and promoted. In fact, in 2008 the EU implemented the calls made by the General Assembly with regard to addressing the impact of deep-sea bottom fishing practices by its vessels in the high seas and in European Community waters. The EU will continue its work with all the relevant stakeholders to deepen and extend knowledge and protection of those habitats and their ecosystems, to develop regional fisheries management organizations (RFMOs) or arrangements where they do not currently exist, and to urge existing ones to implement effective protection measures for VMEs as far as they have not yet done so. In that regard, the EU recognizes the efforts made by States and RFMOs to conduct scientific surveys and to map VMEs.

The EU welcomes and fully endorses the considerable commitment shown at the international level to ensure the continued urgent implementation of measures, in accordance with the Food and Agriculture Organization (FAO) Guidelines for the Management of Deep-sea Fisheries in the High Seas, aimed at strengthening impact assessment prior to the authorization of bottom fishing activities and the establishment of encounter protocols, as well as the adoption of conservation and management measures for deep-sea stocks to ensure their long-term

sustainability. The next review, foreseen for 2011, will be crucial for the credibility of the commitments made.

The EU has long advocated the need for a strong and binding agreement at the international level on port State control, based on the requirement for prior notification by the flag State to the port State to certify that the fish a vessel is carrying have been caught legally, under licence and within quota, before that vessel can be granted access to the port and its facilities. It is that stronger requirement that forms the basis for the port State control schemes recently adopted by a number of RFMOs — including the North East Atlantic Fisheries Commission, the International Commission for the Conservation of Atlantic Tunas and the North Atlantic Fisheries Organization — as well as for the port State measures contained in the European Union's own regulation on illegal, unreported and unregulated fishing, which will be applied from 1 January 2010.

The EU appreciates that this year's draft resolution underscores the approval by the FAO Conference of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Having already signed the agreement on 22 November 2009, the EU fully supports encouraging States to consider signing and ratifying, accepting, approving or acceding to it, with a view to its early entry into force.

In relation to the impacts of global climate change on the sustainability of fish stocks and the habitats that support them, the draft resolution again urges States to intensify efforts to assess and address such impacts. In relation to the possible consequences of climate change on fishery resources in the Arctic Ocean, the EU would, also in the context of the draft resolution on sustainable fisheries, have wished to highlight the state of the Arctic region as a specific area where further scientific studies should be carried out due to the particular implications that climate change may have on fisheries management in that area in the future.

The European Union welcomes the strong endorsement given by the international community to the Kobe process to improve and streamline international management of high-seas tuna fisheries at the meeting which took place in San Sebastián, Spain, in July 2009. The EU is therefore pleased to see that this year's resolution takes the Course of Actions

agreed at that meeting into account, including by noting that global fishing capacity for tunas has to be addressed urgently.

Finally, the European Union reiterates its attachment to universal adherence to the United Nations Fish Stocks Agreement and looks forward to participating in the work related to the resumed Review Conference, which will take place in 2010.

**The President** (*spoke in Arabic*): I now give the floor to the representative of Brazil to introduce draft resolution A/64/L.18.

**Ms. Dunlop** (Brazil): It is with great pleasure and a keen sense of responsibility that I, this year again, have the honour of presenting to the General Assembly the draft omnibus resolution on oceans and the law of the sea (A/64/L.18).

It is not fortuitous that the text before us today, like its predecessors, is the longest and one of the most comprehensive resolutions adopted annually by the General Assembly. As recognized in the preamble of the United Nations Convention on the Law of the Sea (UNCLOS), the depth and scope of the issues involved reflect the awareness that “the problems of ocean space are closely interrelated and need to be considered as a whole”.

The universal and unified character of the Convention sets out the legal framework within which all activities in the oceans and seas must be carried out. UNCLOS sets out the strategic framework within which national, regional and global action and cooperation in the marine sector unfold. The need to maintain the integrity of the Convention is an imperative, as recognized, in particular, by the United Nations Conference on Environment and Development in Chapter 17 of Agenda 21.

That imperative is even more significant in view of the ever-increasing challenges to sustainable development and the full enjoyment of peace and security. Thus the goal of universal participation in the Convention and the agreement relating to the implementation of its Part XI remain important priorities.

Capacity-building is a cross-cutting issue in most areas covered by the draft resolution. The availability in all States, particularly in developing States, of economic, legal, navigational, scientific and technical skills is crucial for the full implementation of the

Convention and for meeting the objectives of the draft resolution.

Capacity-building, in particular, is required for the sustainable development of the oceans and seas nationally, regionally and globally. The interests and needs of landlocked developing States must also be taken into account in that respect. Those aspects were underscored during the tenth Open-ended Informal Consultative Process on Oceans and the Law of the Sea. The Process should, thus, intensify its focus on that important aspect of international cooperation.

Capacity-building is also necessary in assisting developing States, especially the least developed and small island developing States and coastal African States, in the preparation of submissions to the Commission on the Limits of the Continental Shelf regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles.

Some developing coastal States have not been able to present, by the 13 May 2009 deadline, full submissions on the outer limits of their continental shelves beyond 200 nautical miles. It is thus imperative to enhance cooperation and assistance to those States in that regard. The capacity-building activities of the Division on Oceans and Law of the Sea of the Office of Legal Affairs should be supported by Member States.

The draft resolution recalls the progress made by the International Seabed Authority at its sixteenth session in advancing the consideration of regulations for prospecting and exploration for polymetallic sulphides. It also encourages greater progress on the regulations for prospecting and exploration for cobalt-rich ferromanganese crusts in the Area.

In setting the normative framework for the exploration of the common heritage of humankind, the Authority is also preparing, pursuant to article 145 of the Convention, rules, regulations and procedures to ensure the effective protection of the marine environment, including the protection and conservation of the natural resources of the Area. This important role, as well as the responsibilities entrusted to the Authority under article 143 of the Convention with regard to marine scientific research, is duly underscored in the text under consideration.

As previously mentioned, 13 May of this year was the deadline for the presentation of submissions by coastal States to the Commission on the limits of their

continental shelf, where it extends beyond 200 nautical miles. Since 2001, the Commission has received 51 submissions and has established subcommissions for 13 of them. The Commission has adopted recommendations on nine submissions. Despite its best efforts, including in refining its communication with the coastal States, the Commission is currently faced with several constraints, from the number of sub-commissions that can be established simultaneously to the limited time allocated for the two sessions of approximately six weeks each per year.

The Commission has thus estimated that, unless options are found to expedite the consideration of the submissions without prejudice to the efficiency, effectiveness and high level of expertise, it may take until 2035 to conclude consideration of the current workload.

This is a major cause of concern for the States parties, especially considering the efforts and resources, both human and financial, deployed by the coastal States, particularly developing ones, in preparing their submissions. Notwithstanding, the draft resolution recalls that pursuant to article 77, paragraph 3, of the Convention, the rights of a coastal State over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation.

With a view to addressing the issue of the workload of the Commission, the States parties have established a working group of the whole to consider ways and means to enable the Commission to expedite its work. Utter flexibility must be demonstrated in the search for adequate solutions for supporting the Commission and its secretariat and the Division of Oceans and Law of the Sea of the Office of Legal Affairs, including by allocating resources that are commensurate with the task at hand. The integrity of UNCLOS must be duly preserved in the process.

The legal regimes governing maritime safety and maritime security may have common and mutually reinforcing objectives, and all actions taken to combat threats to maritime security must be in accordance with international law, including the principles embodied in the Charter and the Convention.

The crucial role of international cooperation should be recognized, both in combating threats to maritime security, in accordance with international law, and in fighting transnational organized criminal

activities, within the scope of the United Nations instruments against illicit drug trafficking and of the United Nations Convention against Transnational Organized Crime.

The draft resolution recalls the need for enhanced sharing of information among States relevant to the detection, prevention and suppression of threats to maritime security, the need for the prosecution of offenders to pay due regard to national legislation, and the need for sustained capacity-building to support such objectives.

Regarding the continuing rise in the number of incidents of piracy and armed robbery at sea off the coast of Somalia, the text recognizes the importance of a comprehensive and sustainable settlement of the situation in Somalia and the primary role of the Transitional Federal Government in rooting out piracy and armed robbery against ships. It further re-emphasizes the need, in particular, to assist Somalia and States in the region to strengthen their capacity to fight piracy and armed robbery against ships off the coast of Somalia and bring to justice those involved in piracy and armed robbery at sea.

The prosecution of those involved in acts of piracy committed off the coast of Somalia commands considerable interest and has been the object of deliberations within the Contact Group on Piracy off the Coast of Somalia, established on 14 January 2009, following the adoption of Security Council resolution 1851 (2008). The draft resolution invites States, the International Maritime Organization and the International Labour Organization to consider possible solutions for the seafarers and fishers who are victims of pirates.

The need to ensure freedom of navigation, the safety of navigation and the rights of transit passage, archipelagic sea lanes passage and innocent passage enshrined in the Convention has been consistently promoted by the General Assembly and the draft resolution reiterates the appeal to States in that respect.

Likewise, it notes that cessation of the transport of radioactive materials through the regions of small island developing States is a desired goal of small island developing States and some other countries.

The draft resolution highlights the work of the Intergovernmental Panel on Climate Change, in particular its findings on the acidification of oceans. In

that regard, States and competent international organizations and other relevant institutions are encouraged to urgently pursue further research on ocean acidification and to increase national, regional and international efforts to address levels of ocean acidity and the negative impact of such acidity on vulnerable marine ecosystems, particularly coral reefs.

It notes the need to enhance scientific activity aimed at better understanding the effects of climate change on the marine environment and marine biodiversity and at developing ways and means of adaptation. A note of caution is needed however, given the present state of knowledge, on ocean fertilization activities. Other than for legitimate scientific research, such activities should not be allowed. Scientific research proposals should be assessed on a case-by-case basis. An assessment framework is to be developed by the scientific groups formed under the London Convention and Protocol.

The role of the General Assembly relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction must be emphasized. Further discussion on the relevant legal regime covering marine genetic resources in areas beyond national jurisdiction in accordance with the Convention is also called for. This issue is to be further considered in the context of the mandate of the Ad Hoc Open-ended Informal Working Group, which includes the study of issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction.

The Working Group will meet for the third time in 2010. Progress on this issue is needed, given the abundance and diversity of marine genetic resources and their value in terms of the benefits, goods and services they can provide. It should be recalled that 2010 will be the International Year of Biodiversity.

The section on marine science stresses the importance of increasing the scientific understanding of the oceans-atmosphere interface, including through participation in ocean observation programmes and geographic information systems. The intentional or unintentional damaging of platforms used for ocean observation and marine scientific research is a cause of concern. Action and cooperation to address such damage is called for.

The text records the progress made in giving effect to the recommendation, contained in the

Johannesburg Plan of Implementation of the World Summit on Sustainable Development, on the establishment of a regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects. In that respect, the report on the results of the assessment of assessments submitted by the United Nations Environment Programme and the Intergovernmental Oceanographic Commission, the lead agencies of the process, has been an important step and marked the completion of the start-up phase of the Regular Process.

An Ad Hoc Working Group of the Whole was established to recommend a course of action to the General Assembly based on the outcomes of the fourth meeting of the Ad Hoc Steering Group, convened in accordance with paragraph 157 of resolution 63/111. The Ad Hoc Working Group of the Whole proposed a framework for the Regular Process. By adopting the text of the draft resolution before it today, the General Assembly will endorse the recommendations of the Ad Hoc Working Group, including the request for the Division for Ocean Affairs and the Law of the Sea to provide support for the Regular Process.

The Secretary-General is requested to establish a voluntary trust fund for the purpose of supporting the operations of the first five-year cycle of the Regular Process, including the provision of assistance to experts from developing countries, as well as a special scholarship fund to support training programmes for developing countries.

It is expected that the Regular Process will strengthen the regular scientific assessment of the state of the marine environment in order to enhance the scientific basis for policymaking.

Finally, the tenth meeting of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, held in June of the current year, reviewed the mandate, objectives, achievements and shortcomings of the Process in its first nine years. The review recognized that the role of the Consultative Process was unique in promoting comprehensive discussion of issues related to oceans and the law of the sea, consistent with the framework provided by the Convention and chapter 17 of Agenda 21. It also recognized that perspectives based on the three pillars of sustainable development should be integrated further in the examination of selected topics.

The need to strengthen and improve the efficiency of the Consultative Process was also recognized during the review. It was recommended that the Consultative Process devise a transparent, objective and inclusive process for the selection of topics and panellists, so as to facilitate the work of the General Assembly during the informal consultations on the annual draft resolution on oceans and the law of the sea.

It is proposed that at its eleventh meeting the Informal Consultative Process focus on capacity-building in ocean affairs and the law of the sea, including marine science. With that important topic, which reflects the concerns of developing countries, it is hoped that the Informal Consultative Process will reinstate its original intent, further promote the sharing of knowledge, the exchange of views among the multiple stakeholders and coordination among competent agencies, and enhance awareness of the topics, including emerging issues, while promoting the three pillars of sustainable development. In that context, our approach to climate change should be focused on the conservation of blue carbon sinks.

In concluding my presentation of this important draft resolution, I wish to recognize the efforts of all the delegations involved in the consultations, the high level of expertise, the professionalism and the cooperative spirit that enabled this outcome before the General Assembly today.

The support of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs was also instrumental to the positive results. I wish to thank the highly efficient team of that Division through their Director, Mr. Serguei Tarassenko.

We are convinced of the relevance of the comprehensive text before the General Assembly and hope that it will be adopted by consensus.

**Mr. Zinsou** (Benin) (*spoke in French*): On behalf of the African Group, my delegation would like to reiterate its pleasure, Mr. President, at seeing you guide the work of the General Assembly at its sixty-fourth session and to assure you of its full cooperation for the success of your term of office.

The Group would like to thank in particular the two coordinators of the draft resolutions on oceans and the law of the sea (A/64/L.18) and on sustainable fisheries (A/64/L.29), as well as the experts of the

Member States, for the professionalism that they have demonstrated, which has facilitated the drafting and finalization of the two omnibus draft resolutions.

The Group would also like to thank the United Nations Division for Ocean Affairs and the Law of the Sea and its specialized institutions for the key role that they play in implementing the rules of the law of the sea and its relevant resolutions.

The two draft resolutions before the General Assembly today, it must be remembered, are part of the framework for applying the principles contained in the United Nations Convention on the Law of the Sea, which was concluded after several years of difficult negotiations among States seeking to ensure proper ocean governance and promote the sustainable development of its resources.

The result of painstaking compromises among Member States, the draft resolutions take into account the various aspects of the preservation of the marine ecosystem and the controlled management of its riches. Such aspects include issues related to the environment, marine resources, biodiversity, coordination, cooperation, the settlement of disputes and capacity-building. Those are also areas where an agreed regulatory framework and a proper code of conduct make it easier to work together. Measures taken in that context help to ensure a better preservation of the oceans.

Here, we confirm our full support for the noble principles set out in the draft resolutions and for those contained in previous resolutions on the same topics. However, those principles can only give rise to a sustainable development that is capable of achieving the development goals of States if a real effort is made to involve all States, in particular developing ones, specifically African coastal States, both in drafting the resolutions and in implementing the principles.

Indeed, those States, because they lack the logistical and technical resources and qualified personnel, watch powerlessly as their maritime areas are illegally and anarchically exploited, including those over which they have sovereignty under international law.

The vessels and trawlers of the large fishing companies have abandoned the fishing zones of States that have the resources to monitor their coasts to happily descend on the African coast, where they



indulge in illegal, unreported and unregulated fishing, thus overexploiting Africa's maritime resources. That illegal fishing, which African States have no way of stopping, will eventually wipe out the efforts of the international community to protect several endangered species.

Given that situation, the African Group strongly believes that there is an urgent need for the international community to pay greater attention to illegal, unreported and unregulated fishing, so as to make all fishing practices comply with international laws governing that area. That applies in particular to fishing activities along the African coast, so that we can preserve our fish stocks and protect them from exploitation, which will lead inevitably to their reduction, and even their disappearance. For the situation is such that, if nothing is done, the legal and institutional structure established under the United Nations Convention on the Law of the Sea might well succumb to the law of the jungle.

It is also vital that the international community provide the necessary assistance to developing coastal States in order to build up their capacity at the national, subregional and regional levels so that they can control their territorial waters and those beyond and prevent and fight against crime and other illicit activities, such as illegal, unreported and unregulated fishing, bottom sea trawling, piracy, drug trafficking and trafficking in persons, and so forth.

It is also important that States and relevant organizations, international agencies and bodies cooperate in order to strengthen the capacity of developing countries in the area of marine sciences, monitoring and evaluation of the marine environment, particularly by organizing workshops and providing necessary training and teaching materials, as well as grants for experts from developing countries.

Similarly, the African Group would like to call on States and international organizations to contribute to efforts aimed at ensuring that experts from African countries can participate, especially in the various meetings concerning oceans and the law of the sea, particularly by making regular and adequate contributions to the trust fund set up to help developing countries, particularly the least developed countries, small island developing States and landlocked developing countries.

The African Group attaches major importance to issues related to the protection of the marine environment, and the preservation of the marine ecosystem and marine biodiversity, from any negative impact, particularly those due to climate change. In this area, the African Group is actively involved in negotiations on draft resolutions concerning fisheries, the oceans and the law of the sea, not merely to strengthen action against illegal, unreported and unregulated fishing, but, above all, to combat practices that might lead to destruction of the ocean floor and have a deleterious effect on the life of the seabed and its resources. To the same end, the African Group encourages greater cooperation between the Food and Agriculture Organization of the United Nations (FAO) and regional fisheries organizations, in order to promote effective implementation of the FAO International Plan of Action to Prevent, Deter, and Eliminate Illegal, Unreported and Unregulated Fishing.

For Africa, the issue of the limits of the continental shelf is still unresolved, despite efforts by the Commission on the Limits of the Continental Shelf to find appropriate solutions to the problems this raises. In this context, the African Group welcomes the Commission's efforts to facilitate implementation of the provisions of the United Nations Convention on the Law of the Sea relating to the delineation by coastal States of the outer limits of their continental shelf, in accordance with paragraph 8 of article 76 of the Convention.

The African Group would, however, like to express its concern over the workload of the Commission. It makes scheduling meetings to consider reports submitted by coastal States a difficult challenge. This situation is seriously prejudicial for developing States, especially those that have agreed to enormous sacrifices in order to invest in the framework of the delineation process. At this rate, the African Group believes that several developing States have no chance of meeting the deadlines set by the Convention for delineating the continental shelf beyond the 200-nautical-mile mark. As a result, in order to comply with the spirit and the letter of the Convention, the African Group strongly encourages delegations to be proactive in seeking practical and realistic solutions to this important problem.

As can be seen, the challenges to be dealt with in implementing the United Nations Convention on the Law of the Sea are still huge, and the rather impressive

size of the draft resolution before us (A/64/L.18 and Corr.1) gives an idea of the enormous amount of work still to be done. That cannot be achieved without the effective solidarity and efficient cooperation of every State.

**Mr. Wolfe** (Jamaica): I have the honour to speak on behalf of the 14 member States of the Caribbean Community (CARICOM): Antigua and Barbuda, the Bahamas, Barbados, Belize, Dominica, Grenada, Guyana, Haiti, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Suriname, Trinidad and Tobago, and my own country, Jamaica.

CARICOM continues to attach great importance to our participation in the annual debates in the General Assembly on the item relating to oceans and the law of the sea. In this regard, we welcome the very comprehensive and detailed reports prepared by the Secretary-General, as contained in documents A/64/66 and Add.1 and 2.

It is useful to recall that one of the principal objectives and guiding principles of the historic 1982 United Nations Convention on the Law of the Sea (UNCLOS) was the commitment by States parties to, *inter alia*,

“promote the peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources, and the study, protection and preservation of the marine environment”.  
(*UNCLOS, preamble*).

These cardinal principles, together with the main provisions of the Convention, remain as relevant today as they were 27 years ago, when the Convention was adopted, and should therefore be embraced by the entire international community.

As a group of small and vulnerable island developing States, CARICOM remains highly dependent on the Caribbean Sea for its commercial activities and economic livelihood, including tourism, fishing and fisheries, and the exploitation of oil and gas resources, as well as for regional and international trade, most of which is facilitated by ocean freight and international shipping arrangements. Indeed, as the Secretary-General has highlighted in his report, maritime transport remains vital to the world economy, given that more than 80 percent of international trade by volume is carried by sea, and also bearing in mind

that an even higher percentage of developing-country trade is carried by ships.

For those and other reasons, CARICOM member States remain firmly committed to the protection and preservation of the Caribbean Sea, with the support of the international community and with a view to achieving sustainable development. It has long been established that the Caribbean is the most tourism-dependent region in the world, relative to its size, and the Caribbean Sea, in comparison to other large marine ecosystems, is surrounded by the largest number of countries in the world.

CARICOM therefore welcomes the renewed emphasis on efforts to heighten global awareness of the current challenges faced by the international community in sustainable ocean management and on the future prospects and challenges in the implementation of the regime established by the Convention on the Law of the Sea for the protection and preservation of the marine environment.

These issues must be addressed in the context of the current challenges faced by Caribbean and other developing countries, as a result of the high degree of vulnerability occasioned by climate change and the consequent rise in sea level, as well as the increase in the frequency and intensity of national disasters caused by hurricanes, floods and drought that our region has experienced in recent years.

In this regard, we view marine scientific research as essential to our efforts to confront the challenges to the marine environment. We therefore welcome the revision of the guide on marine scientific research prepared by the Division for Ocean Affairs and the Law of the Sea. This guide will be useful in assisting developing countries in examining best practices as we strive to conduct research in our respective maritime zones.

CARICOM reiterates its position that safe, secure and crime-free routes for navigation and the implementation of international rules and standards for improving marine safety and security must underpin the core of a comprehensive programme aimed at protecting marine trade, and at combating, in accordance with international law, threats to maritime security.

We therefore remain concerned at the alarming increase in the number of committed and attempted

acts of piracy and armed robbery against ships, reported to the International Maritime Organization (IMO), which, in the first six months of 2009 alone, totalled 238, as compared with 121 in the first six months of 2008, as indicated in the Secretary-General's report (A/64/66/Add.1). The international community must remain resolute in addressing that scourge, which has the potential to cause severe disruptions to maritime commerce.

At the twelfth meeting of the Council on Foreign and Community Relations (COFCOR), held in Kingston, Jamaica, in May this year, CARICOM expressed its concern at that grave phenomenon, which affects Caribbean countries that are flag registers, while also noting that the Caribbean Sea is recognized as a major shipping route and that robbery at sea is not unknown in the Caribbean and the South Atlantic and could have a negative impact on CARICOM States.

As a result, CARICOM members have agreed to collaborate effectively in relevant international forums to share information and strategize jointly so as to have a strong voice in the international dialogue on the issue of piracy. It was also agreed that those CARICOM States that enjoy membership in the IMO will cooperate in drafting domestic legislation to tackle the problem and would forward such drafts to the Legal Committee of the IMO in order to facilitate the drafting of model legislation relevant to piracy and related issues.

CARICOM also continues to face serious security threats posed by the maritime traffic in narcotic drugs and psychotropic substances, coupled with the illicit trade in small arms and light weapons, which continue to pose serious challenges for Governments and law enforcement agencies in our region. We have devised regional strategies aimed at addressing that illegal trade and its associated crimes, which are at variance with the provisions of the Convention on the Law of the Sea and the stipulations for peaceful uses of the sea, and we are committed to working with agencies such as the Commission on Narcotic Drugs to confront those serious crimes.

Another perennial concern for CARICOM States is the danger posed by the transport of radioactive materials through the Caribbean Sea. While recognizing the principles of freedom of navigation enshrined in the relevant provisions of the Convention, we remain deeply disturbed at the potential risk to

lives, health, and our environment and economies in the event of an accident during the transportation of radioactive materials by sea.

We wish to reiterate that States involved in the transport of such hazardous materials have a legal obligation to protect and preserve the marine environment and we call upon them to continue to adhere to the guidelines established by the International Atomic Energy Agency and other agencies on the transportation of such materials.

Turning to other issues under our consideration, CARICOM takes this opportunity to re-emphasize its support for the work of the Commission on the Limits of the Continental Shelf (CLCS). We are encouraged by the important contribution that the CLCS continues to make with respect to the submissions made by coastal States seeking to extend the limits of the continental shelf beyond 200 nautical miles in accordance with article 76, paragraph 8, of the Convention.

As of 12 May 2009, the workload of the CLCS has increased due to the 51 submissions lodged by coastal States. The Chairman of the Commission has reported that, given its current workload and the resource constraints, new strategies would have to be employed if the Commission is to make recommendations to coastal States within a reasonable time, so that the submitting States can establish the limits of their continental shelf as provided under article 76.

We thus call on Member States to participate in the informal working group established by the nineteenth Meeting of States Parties, which has been mandated to devise strategies aimed at streamlining the work of the Commission. It is our view that States need to commit to providing more resources to the Commission, including to the Division for Ocean Affairs and the Law of the Sea, which serves as its Secretariat, at this critical period, if the Organization is to effectively discharge its mandate. CARICOM also calls on States that are in a position to do so to contribute to the Trust Fund established by General Assembly resolution 55/7 to assist members of the Commission from developing countries in participating in the work of the Commission.

CARICOM also wishes to commend the International Tribunal for the Law of the Sea for the important action undertaken to enhance the quality of

its work with the establishment of a new Chamber for Maritime Delimitation Disputes, as well as the modification of the Chamber for Fisheries Disputes and the Chamber for Maritime Environment Disputes.

The pacific settlement of disputes is a hallmark in the international law of the sea and we urge States parties to make declarations under article 287 of the Convention, accepting the jurisdiction of the Tribunal in settling disputes concerning the interpretation and application of the provisions of the Convention.

As part of the CARICOM family, Jamaica continues to fulfil its legal obligations as host country for the headquarters of the International Seabed Authority, which has been entrusted with the mandate to administer, organize and control activities in the international seabed area on behalf of States parties.

CARICOM is pleased at the considerable progress achieved by the Authority over the past two years, towards the finalization of the draft on prospecting and exploration for polymetallic sulphides in the Area. We remain reasonably confident that the draft regulations can be concluded at the upcoming sixteenth session of the Authority, to be held from 26 April to 7 May 2010. At that session, the Council of the Authority will also have before it the draft regulations on prospecting and exploration for cobalt-rich ferromanganese crusts in the Area, which were adopted by the Legal and Technical Commission during the fifteenth session.

CARICOM therefore wishes to emphasize the urgent need for improvement in attendance at the meetings of the Authority, particularly at this critical juncture when we are in the process of finalizing legal codes for prospecting and exploration of mineral resources that are part of the common heritage of humanity. Improved attendance would also serve to reemphasize the pre-eminent role of the Authority as the sole legitimate body that has the mandate to act on behalf of the international community in this important maritime zone.

It should be noted that the role of the Authority is assuming greater importance at a time when the Commission has made recommendations to some coastal States allowing them to establish their continental shelf jurisdiction beyond 200 nautical miles. As a result of such action by the Commission, the Authority will now have a more definitive position as to those areas where national jurisdiction ends and

where its own mandate begins, that is, to manage the international seabed regime.

An institution as important as the Authority must be endowed with competent leadership for it to garner confidence among its membership. It is for this reason that we are very pleased to welcome the presence in the General Assembly this morning of His Excellency Nii Allotey Odunton, who was elected Secretary-General on 4 June 2008 at the Authority's fourteenth session and whose term of office formally commenced in January of this year.

With more than 20 years of experience in the international civil service, particularly in the area of marine mineral resources and marine resource policy formulation, Mr. Odunton brings a wealth of knowledge and experience to his new post. CARICOM is therefore confident that he will harness all of his multiple talents to enable the Authority to be a true custodian of our common heritage. In conclusion, CARICOM urges those States members of the Authority that are not yet parties to the 1994 Agreement relating to the Implementation of Part XI of the Convention immediately to take steps towards becoming parties so as to remove the incongruity and anomaly that currently exist for those States.

*Mr. Valero Briceño (Bolivarian Republic of Venezuela), Vice-President, took the Chair.*

CARICOM welcomes the increasing number of Member States that have become parties to the United Nations Convention on the Law of the Sea. We are particularly pleased that, as of 31 August 2009, there were 159 parties to the Convention representing an increase of three over the previous year.

Finally, we take this opportunity to once again urge those States that have not yet become parties to the Convention to do so with a view to ensuring its universal acceptance.

**Ms. Moses** (Nauru): I have to honour to speak on behalf of the Pacific small island developing States (SIDS) represented at the United Nations, namely, the Federated States of Micronesia, Fiji, Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, Solomon Islands, Tuvalu, Tonga, Vanuatu and my own country, Nauru.

To the Pacific SIDS as island nations, the robustness of the international ocean governance is of critical concern. Not only is the ocean an integral part

of our cultural identity, but we rely on the oceans as a major source of our food. Negative impacts on the health of marine ecosystems threaten the very ability of our people to meet their nutritional needs. Healthy ecosystems are also critical to tourism, which is a major source of revenue for many of our islands. The sustainable management of our marine ecosystem is essential to the achievement of the Millennium Development Goals.

All nations are beneficiaries of the rich resources provided by the oceans, and all nations have the responsibility to ensure the sustainable conservation and management of marine resources. The Pacific regional waters compose 10 per cent of the Earth's surface, and much of this falls within the national jurisdictions of the small island developing States. We take our role as custodians of the precious ecosystems seriously. Our region has a high concentration of vulnerable marine ecosystems, including coral reefs, hydrothermal vents and underwater seamounts. The Pacific Ocean is also home to fish stocks of global importance.

Our oceans are under threat. The human impacts on the health of marine biodiversity are profound. Fish stocks continue to fall, and scientists warn that global fisheries are in crisis. Illegal, unregulated and unreported (IUU) fishing is one of the gravest threats to the future sustainability of our regional marine resources and the marine environment. The rate of IUU fishing in the Pacific is higher than in any other region, accounting for approximately 36 per cent of the total catch. IUU fishing has severe impacts on target species and by-catch, both affecting subsistence fishing by Pacific people and having severe negative impacts on biodiversity.

The Pacific SIDS face serious constraints in their ability to respond to IUU fishing in our region because of geographic isolation, small populations and lack of technical expertise. We call on all countries to continue and increase their efforts to end IUU fishing, and we welcome the assistance provided to us by our partners, particularly in relation to joint enforcement exercises. We would like to strengthen these initiatives.

Bottom trawling is gravely endangering vulnerable ecosystems. We welcome the review of the implementation of resolution 61/105 that took place in September, particularly on the issue of bottom trawling. Progress was made in strengthening the

measures, and we consider this year's draft resolution (A/64/L.29) a genuine step in the right direction towards greater conservation and management of deep-sea fish stocks, habitats and ecosystems. We strongly welcome the provisions calling upon flag States and regional fisheries management organizations not to authorize bottom trawling until the requirements in resolution 61/105 have been met, and we will exercise our own role as participants in the South Pacific Regional Fisheries Management Organization process to ensure that the high-seas pockets enclosed by our exclusive economic zones in the western tropical Pacific are not threatened by bottom trawling.

We wish to reiterate the call on those States participating in negotiations to establish a new regional fisheries management organization for the North Pacific to expedite their negotiations and to ensure that there is no gap between the areas covered by the South Pacific Regional Fisheries Management Organization and the measures implemented for the North Pacific. We repeat our call for a prohibition on destructive fishing practices, including bottom trawling, where there is no regional fisheries management organization under negotiation or interim measures in effect, until appropriate conservation and management measures are in place.

We wish to thank all parties in the negotiations for their constructive work in addressing the serious threats of bottom trawling, but we remind them that further urgent work remains to be done to ensure the sustainability of our oceans. We look forward to further review of the actions of States and regional fisheries management organizations to implement resolution 61/105 and this year's draft resolution in 2011, and we hope that improvements in implementation will be reported.

Climate change is having severe impacts on our oceans, and we regret that this serious issue has received too little practical attention from the international community. The importance of our oceans in regulating the global atmosphere has been largely taken for granted. The oceans have absorbed over 50 per cent of all anthropogenic carbon emissions over the past 200 years, and thus have a significant role to play in mitigating climate change.

Yet the high level of carbon dioxide absorbed by our oceans is having severe negative impacts on the health and functioning of marine ecosystems. Higher

levels of carbon dioxide are causing acidification, affecting the growth and viability of many marine organisms, and threatening acute changes in the food web and effects on fish stocks. Coral reefs are particularly vulnerable to ocean acidification, as higher acid levels prevent coral growth. It is estimated that corals around the world will stop growing if the atmospheric carbon dioxide concentration stabilizes at 450 parts per million, with unknown but likely profound negative impacts on dependent species.

In light of these impacts, we reiterate our call for the United Nations Climate Change Conference in Copenhagen to conclude with an agreement with emission targets that limit atmospheric carbon dioxide concentration at 350 parts per million and keep global temperature rise well below 1.5 degrees Celsius.

Finally, the delineation of continental shelves is a critical issue for the Pacific SIDS. It is imperative that a solution be found for the inadequate resources so that the work is able to progress in a timely manner. The current timeframes are severely disadvantageous for smaller missions relying on external advice to navigate the highly technical issues involved.

**Ms. Negm (Egypt)** (*spoke in Arabic*): At the outset, the delegation of Egypt aligns itself with the statement delivered by the representative of Benin on behalf of the African Group. It also expresses its appreciation to the coordinators of the draft resolutions on oceans and the law of the sea (A/64/L.18) and sustainable fisheries (A/64/L.29) for their efforts to reach agreement on the two drafts resolutions. The delegation of Egypt attaches particular importance to the role of these drafts in promoting international cooperation in matters relating to the seas and oceans, the protection of the marine environment and the sustainability of fisheries for the benefit of humanity, in accordance with the principles of international law enshrined in the United Nations Convention on the Law of the Sea of 1982. Furthermore, we thank the Secretary-General and the United Nations Division for Ocean Affairs and the Law of the Sea for their efforts in preparing the reports before us today.

From this perspective, the Egyptian delegation stresses the importance of strengthening the efforts of the international community in the field of marine scientific research, particularly in the context of the International Seabed Authority and the study of the effects of mining activities on the seabed environment.

It also stresses the importance of following the new guidelines to prevent the monopolization of mineral exploitation of those areas, as they represent the common heritage of humankind. Similarly, the Egyptian delegation is deeply concerned over the increasing impact of climate change on marine life and ecosystems and on shipping routes and the associated increased costs of maritime transport. It also stresses the need to take these issues into account in the current negotiations in Copenhagen on the United Nations Framework Convention on Climate Change.

Turning to the safety and security of navigation, the Egyptian delegation further expresses its growing concern at the rising number of incidents involving piracy and armed robbery against ships, especially in the waters off the coast of East Africa. Egypt supports international efforts to combat this phenomenon, particularly off the coast of Somalia. In this regard, it welcomes the recognition in draft resolution A/64/L.18 on oceans and the law of the sea of the importance of reaching a comprehensive and permanent settlement of the situation in Somalia, which is closely linked to the spread of piracy in that region. Aware of the need to promote international cooperation in this regard, Egypt is participating actively in the Contact Group on Piracy off the Coast of Somalia with a view to reaching a comprehensive solution to this problem.

Furthermore, my delegation emphasizes the need to implement the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, and urges everyone to work to improve conditions for seafarers and fishermen victims of piracy. Hence, it welcomes the Assembly's request of the International Maritime Organization and the International Labour Organization to study ways to achieve this.

The Egyptian delegation is also closely following international efforts being made with international shipping companies to allow the transport of radioactive materials in accordance with the relevant international protection measures on the transfer of such materials for peaceful purposes and medical use and in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons.

From the same perspective, the Egyptian delegation stresses the importance of providing the necessary support to developing countries to ensure

their increased participation in data collection programmes and exchanges in various fields related to marine and ocean sciences. It also deems it necessary to solve the problem of the increasing workload of the Commission on the Limits of the Continental Shelf in order to enable it to consider the recent submissions of developing countries on an equal footing with the past submissions of developed countries.

With regard to the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, the Egyptian delegation welcomes the results of the tenth meeting, which emphasized the need to strengthen the pillars of sustainable development when considering topics consistent with the legal framework of the Convention in order to achieve the goals of Agenda 21, which established this process. The Egyptian delegation looks forward to achieving this goal through the future activities of the Consultative Process.

As for sustainable fisheries, the Egyptian delegation emphasizes the need for greater efforts to protect endangered fish species, fight illegal, unregistered and unreported fishing and eliminate destructive fishing practices affecting the seabed. In this regard, the Egyptian delegation has monitored measures taken by regional fishery management organizations to protect seabed ecosystems in implementation of resolution 61/105. However, we note the inadequacy of these measures to ensuring the sustainable use of marine resources and habitats, including vulnerable marine ecosystems, and look forward to the enhanced cooperation of States with the Food and Agriculture Organization of the United Nations and regional fisheries management organizations in creating a system to manage seabed fishing in a manner that preserves the marine ecosystems.

Also, in order to strengthen international cooperation on sustainable fisheries, the Egyptian delegation proposes that the 2010 Review Conference on the 1995 Fish Stocks Agreement address the problems in the Agreement that are preventing ratification by more countries, especially the developing ones, and the establishment of effective fisheries management mechanisms.

Finally, the Egyptian delegation expresses its growing concern over the state of the oceans and seas worldwide and looks forward to greater cooperation

efforts by the international community to improve these conditions and to protect the marine environment from factors that harm marine biodiversity and vulnerable marine ecosystems.

**Ms. Picco (Monaco)** (*spoke in French*): We have probably reached the maximum potential of capture fishing in the planet's oceans. In 2007, almost 28 per cent of fish stocks were overexploited, exhausted or in the process of reconstitution. Migratory species, whales and other cetaceans are still vulnerable to chemical pollution, collision with ships, exploitation, sound pollution, by-catch, ingestion of marine waste and the effects of climate change.

Marine ecosystems, which scientific research has confirmed as important carbon sinks, are suffering from those devastating impacts and disappearing. Ocean acidification due to climate change threatens the livelihoods of billions of people throughout the world. Acidification leads to erosion and jeopardizes the stability of coastal areas. Its economic and social impact, aggravated by extreme climatic phenomena, is potentially devastating.

Although knowledge of marine diversity remains insufficient, as demonstrated by the fact that over 1,000 species are discovered every year, progress in research confirms the essential role of marine life and biodiversity in preserving the world's ecosystems and ensuring socio-economic development. Healthy oceans are a tool against poverty and hunger, can ensure food security and are essential to attaining our common goal of sustainable development.

At this moment when our heads of State and Government are preparing to negotiate a critical political agreement in Copenhagen, it is deplorable that no reference is made to that event in the omnibus resolution (A/64/L.18), in particular due to the fact that the General Assembly is preparing to devote special attention to biodiversity within the context of the 2010 International Year of Biodiversity.

In addition to developing further methods to adapt to climate change, necessary to strengthening the resilience of marine ecosystems, the international community also has a collective duty to act and to take greater care in preserving and managing the living marine resources, pursuant to its obligations under the United Nations Convention on the Law of the Sea.

The personal commitment of His Serene Highness Prince Albert II is reflected in concrete steps to protect fragile ecosystems such as coral reefs, which are home to 30 per cent of marine biodiversity and are under unprecedented stress. In that connection, I should like to announce that, from 12 to 15 January 2010, Monaco will host the General Meeting of the International Coral Reef Initiative.

That commitment is also behind the Principality of Monaco's efforts with regard to threatened species such as the bluefin tuna, which is one of the world's most exploited species. It is for that reason that the Principality has acted to have the bluefin tuna placed on the Appendix I list of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), with a view to banning the international trade in that species, preventing the collapse of stocks and avoiding its extinction.

In our opinion, the 13,500 ton limit just adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT) for the 2010 fishing season will not guarantee the rehabilitation of that overexploited species, especially in the Mediterranean. We therefore appeal to all countries that share this world heritage, in particular CITES States parties, to fully assume their responsibilities — failing which, the industries that benefit from trade in this species will disappear with it. Moreover, unreported and illegal fishing makes it impossible to bring international trade back under control. In that regard, we should promote active cooperation between ICCAT and CITES.

In addition, Monaco welcomes the recent adoption, during the thirty-sixth session of the Conference of the Food and Agriculture Organization, of a treaty aimed at prohibiting access to fishing ports by vessels involved in illegal, unreported or unregulated fishing.

Monaco also continues to be very concerned about large-scale pelagic drift-net fishing, despite the fact that it was officially banned many years ago, as well as by the devastating impact of bottom trawling on marine ecosystems.

The third meeting of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction should promote efforts in the areas of research, coordination, the management of protected marine areas and

environmental impact assessment procedures. Its experience will continue to be useful in improving protection for deep-sea and pelagic areas.

On the eve of the deadline we set ourselves at the Johannesburg World Summit on Sustainable Development for putting in place an ecosystem-based approach, and in line with our obligations under the United Nations Convention on the Law of the Sea and the Convention on Biological Diversity, it is crucial that we establish representative networks for protected marine areas so as to preserve their ecological and biological wealth. Regional intergovernmental processes must also be strengthened.

Against that backdrop, and with a view to the establishment of a regulatory mechanism, it would seem essential to develop both marine evaluation capabilities and capacities that are primarily based on better scientific understanding.

**Mr. Wetland** (Norway): Next week, the attention of the international community will be directed towards the United Nations Climate Change Conference in Copenhagen. The effects and impacts of climate change are evident to all of us, and we need to respond urgently. We hope that the Conference will have the necessary momentum and that the parties will show the necessary political will and flexibility so that concrete results can be achieved.

The consequences of climate change are especially visible and measurable in the Arctic. If ice-melting continues and the polar ice cap continues to diminish, new opportunities to exploit previously inaccessible resources and new shipping routes will emerge. We will thus face the challenge of balancing the protection of the Arctic environment with the orderly and sustainable use of its resources.

The five Arctic Ocean coastal States — Canada, Denmark, the Russian Federation, the United States and Norway — have a special responsibility in that regard. In last year's Ilulissat Declaration, they expressed readiness to stand by their special responsibilities on the basis of the extensive international legal framework that applies to the Arctic Ocean, such as the law of the sea.

Under the Arctic Council, negotiations on an international instrument regarding search and rescue in the Arctic will commence next month. In the International Maritime Organization (IMO), we are



working to strengthen the guidelines for ships operating in ice-covered waters — the so-called polar code. We attach great importance to that work in the IMO, and we count on the active support of all Member States to make sure that a mandate for a revision can be agreed upon in the meeting of IMO Subcommittee on Ship Design and Equipment in February 2010.

This year's negotiations on the General Assembly draft resolution on sustainable fisheries (A/64/L.29) included a review of resolution 61/105, of 2006, which, *inter alia*, encourages States to take action to protect vulnerable marine ecosystems from destructive fishing practices. Norway has worked actively to promote action against the use of fishing gear that may harm marine biodiversity. We have done so in the North East Atlantic Fisheries Commission, the Northwest Atlantic Fisheries Organization and the Commission for the Conservation of Antarctic Marine Living Resources. We also played an active part in the development of the Food and Agriculture Organization (FAO) International Guidelines for the Management of Deep-Sea Fisheries in the High Seas.

This year's review and the Secretary-General's report on the issue (A/64/305) show that States have taken significant measures to implement the 2006 resolution. However, it is also clear that considerable work remains to be done in order to offer vulnerable ecosystems the necessary protection. We are happy that both those points are reflected in the draft resolution. The goals set out are ambitious, and they need to be in order to prevent further damage from the use of destructive fishing practices. States and regional fisheries management organizations must assume their full responsibility in that regard.

Illegal, unreported and unregulated (IUU) fishing seriously undermines efforts to conserve and manage fish stocks in a sustainable manner. It is particularly harmful to developing countries. Such fishing also has severe negative effects on food security and environmental protection all over the world.

An important milestone in the global fight against IUU fishing was reached last August when, in the framework of FAO, we managed to finalize the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. Those negotiations were initiated by Norway in 2005 because we saw the need for a global approach

to prevent the landing of IUU fish. The agreement was approved by the FAO Conference and signed by Norway on 22 November. This is an important instrument for better global port-State control. We encourage all States to become parties to the Agreement as soon as possible.

The establishment of the outer limits of the continental shelf beyond 200 nautical miles is a central element in the implementation of the law of the sea regime. The delineation process clarifies the legal framework for future shelf activities. Such clarity also entails significant positive development implications.

Norway submitted documentation concerning the limits of our continental shelf in the High North in 2006, and received the recommendations from the Commission on the Limits of the Continental Shelf earlier this year. We were impressed by the work of the members of the Commission and I take this opportunity to commend them for their efforts. The Division for Ocean Affairs and the Law of the Sea (DOALOS) also deserves praise for its contribution to the work and functioning of the Commission. States must now work together to secure for the Commission and DOALOS the resources they need to continue their work in this important field.

Many developing countries face particular challenges in preparing documentation for their submissions. We heard testimony to that effect from my colleague from Nauru earlier today. States with the necessary financial and technical resources must therefore assist developing countries in the preparation of those submissions.

At the eighteenth Meeting of States Parties, in June 2008, we worked actively for the decision contained in document SPLOS/183, to the effect that developing countries can submit preliminary information indicative of the outer limits of their continental shelves. Norway has also assisted 10 African States in their preparation of such preliminary information to be submitted to the Secretary-General before the deadline. In that endeavour, we had close and fruitful cooperation with the Shelf Programme of the United Nations Environment Programme, as represented by the Global Resource Information Database at Arendal, Norway, as well as with the Economic Community of West African States and the Special Representative of the Secretary-General for Somalia. We also received valuable advice from the

United Nations Office for West Africa. We are now studying how we can best provide those African coastal States with technical and financial assistance in order to prepare full submissions to the Commission.

Piracy and armed robbery off the coast of Somalia and in the Gulf of Aden continue to threaten the people of Somalia, the whole region and a series of protective interests. Those interests include innocent lives, humanitarian supplies and international commerce and navigation. Some 1,000 Norwegian-owned ships pass through the Gulf of Aden every year. We are therefore directly affected, and are acting accordingly.

We co-sponsored Security Council resolution 1897 (2009) of 30 November 2009. We highly appreciate the work of the Contact Group on Piracy off the Coast of Somalia, which was established in January 2009. Norway participates in the work of the four working groups under the Contact Group. In January 2010, we will chair the fifth meeting of the Contact Group itself. Norway also contributes, with one frigate, to the European Union-led Operation Atalanta in the Gulf of Aden. International cooperation to ensure security for international shipping off the coast of Somalia must continue, as must cooperation to improve the situation on land in Somalia in order to address the root causes of the problem.

**Mr. Nguyen Duy Chien** (Viet Nam): At the outset, my delegation wishes to welcome the continued consideration by the General Assembly of the agenda item relating to developments in ocean affairs and the law of the sea. We thank the Secretary-General and the Secretariat, and in particular the Division for Ocean Affairs and the Law of the Sea, for the reports on oceans and the law of the sea and on sustainable fisheries. We also thank the two coordinators for their hard work in conducting the negotiations on the two draft resolutions that have been introduced under this agenda item (A/64/L.18 and A/64/L.29).

The 1982 United Nations Convention on the Law of the Sea (UNCLOS) provides a comprehensive and sound legal framework for all ocean issues and ocean-related activities. The nearly universal acceptance of UNCLOS by the international community is a reflection of our cherished goals of promoting the optimal use of the world's oceans and seas in conformity with the principles of justice and equal rights. Every effort must be made to fully implement

UNCLOS, with due respect for the delicate balance between the rights and obligations of States contained in its provisions.

Viet Nam commends the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf for the great amount of work they have taken on in the past year. We note with satisfaction the efforts of UNCLOS States parties, especially developing countries, to fulfil their obligation to make submissions to the Commission or to inform the Commission of their intention to make submissions establishing the outer limits of their continental shelves beyond 200 miles.

Viet Nam is of the view that every submission made to the Commission by States parties should be considered by the Commission in accordance with the provisions of UNCLOS. The Commission now has a clearer picture for organizing its working schedules. It will need stronger support from us to accomplish its heavy work load in the years ahead.

Thanks to the flexibility shown by all regional groups of States parties, important decisions were made at the nineteenth Meeting of States Parties to UNCLOS, held in June 2009, with regard to the allocation of seats on the Commission and the Tribunal. My delegation calls on all UNCLOS States parties to adhere strictly to those decisions in the future elections to those bodies.

My delegation recognizes the contribution of the Open-ended Informal Consultative Process to strengthening the annual debate of the General Assembly on oceans and the law of the sea. At the tenth meeting of the Consultative Process, Member States made great efforts in assessing the achievements and shortcomings of the past nine meetings and in recommending ways to move the Process forward. My delegation fully supports the view expressed by the Group of 77 and China that the Process should be carried out in full accordance with UNCLOS, taking into account the agreements reached at the United Nations Conference on Environment and Development, in particular chapter 17 of Agenda 21.

Against the backdrop of this assessment of all the developments relating to oceans and the law of the sea, the Government of Viet Nam supports the two draft resolutions on which the General Assembly will take action today.

As a developing coastal State that borders the South China Sea — which is known to all Vietnamese people as the Eastern Sea — Viet Nam attaches great importance to adopting and implementing policies that promote legitimate and sustainable uses of maritime space and resources for economic development, as provided for by UNCLOS. It is no secret that maintaining peace and stability in the South China Sea not only meets the interests of the States adjacent to that important sea area, but also makes a valuable contribution to the world's peace and security. It is therefore essential for all States in the South China Sea region to work together more closely in order to reach mutual understandings so as to make the South China Sea a peaceful and stable zone.

The conclusion and implementation of the Declaration on the Conduct of the Parties in the South China Sea by the member countries of the Association of Southeast Asian Nations and China constitutes a significant step in that direction. The Vietnamese Government strongly believes that the successful implementation of the Declaration and the elaboration and adoption of a code of conduct in the South China Sea that fully respects the legal framework provided by UNCLOS, will provide a more conducive environment for peace, stability and economic development in the region. For its part, the Government of Viet Nam is committed to making every effort to work with all neighbouring States for the sake of the peace, stability and prosperity of all peoples sharing the South China Sea.

**Mr. Al-Ateeqi** (Kuwait) (*spoke in Arabic*): At the outset, I am pleased to convey to the President our deep gratitude and appreciation for all the outstanding and effective efforts he is making to conduct this session of the General Assembly. We would also like to thank the Secretary-General for his reports, submitted in accordance with paragraphs 128 and 173 of resolution 63/111, relating to ocean affairs and the law of the sea.

The State of Kuwait welcomes the contents of the report of the Secretary-General on oceans and the law of the sea (A/64/66). We would like to emphasize that the collective patrimony of the seas and oceans belongs to humankind as a whole. In addition, friendly relations between all States must include adherence to the principles of justice and equality in the enactment of a global economic system that is based on protecting the marine environment and maintaining the sustainability

of the oceans, so as to achieve progress and prosperity for the peoples of the world.

The State of Kuwait would also like to welcome the ongoing increase in the number of States parties to the United Nations Convention on the Law of the Sea, which this year has reached 159 States. That proves the importance of the Convention at the global and regional levels. In that regard, my country calls on States that have not yet joined the Convention to do so in order to attain universal participation, achieve the Millennium Development Goals and promote international peace and security.

Acts of piracy and armed robbery against ships continue to pose a threat to trade and commercial shipping. It also threatens the lives of sailors who work onboard those ships. My country's delegation therefore condemns all acts of piracy, hijacking of commercial ships and terrorism that occur on the oceans and seas, in particular the acts of piracy that take place in the Gulf of Aden and off the Somali coast. According to the International Maritime Bureau, the majority of those incidents occurred off the Somali coast during the first six months of this year. To counter such acts of piracy and armed robbery against ships, the international community must coordinate all its efforts by effectively implementing international law, the law of the sea and all other legal instruments to confront pirates and to prosecute criminals.

My country's delegation commends the Security Council's adoption, under Chapter VII of the Charter, of resolution 1846 (2008) of 2 December 2008. That resolution emphasizes the importance of fostering international efforts to combat piracy off the Somali coast by expanding the scope of mandates of regional States and organizations working with Somali officials in order to achieve that goal.

The State of Kuwait joined the United Nations Convention on the Law of the Sea in 1986. Subsequently, in 2002, it acceded to the Agreement relating to the implementation of Part XI of the Convention. Kuwait is also a party to the Protocol concerning Marine Pollution Resulting from Exploration and Exploitation of the Continental Shelf. It is for that reason that the State of Kuwait would like to emphasize the need for respecting international law and relevant international conventions and for guaranteeing their effective implementation, in particular with regard to marine safety and security.

That should be done by ensuring that flag States fulfil their responsibilities in the course of innocent or transient passage, as well as by taking all the measures stipulated under international law to guarantee the rights of each State.

In conclusion, the State of Kuwait believes that international efforts must be intensified in order to ensure understanding of the effects of climate change on the marine environment and on marine biodiversity and to find appropriate ways and means for adaptation to those changes. Those efforts must also include building the capacities of developing countries and the transfer of technology to them, so as to preserve the marine environment and achieve sustainable development in the oceans and the seas.

The State of Kuwait urges all Member States to expand their good offices with a view to improving people's lives while also preserving the marine environment, its resources and their optimal use. That can be done by adhering to the provisions of international conventions and rules that guarantee the rights of peoples to use marine resources in an equitable and just fashion, thereby securing for all the sustainability of the marine environment and promoting international peace and security.

**Mr. Budiman** (Indonesia): At the outset, allow me to express our gratitude to the Secretary-General for his comprehensive reports on ocean affairs and the law of the sea contained in documents A/64/66 and Add.1 and Add.2. We also wish to thank the Division for Ocean Affairs and the Law of the Sea and the Secretariat for their valuable support in the consideration of issues related to the law of the sea during this session.

Indonesia continues to participate actively in the consideration of issues related to the law of the sea, including fisheries, the maritime environment and navigation. There are two main reasons for our interest. First, we are the largest archipelagic State in the world, occupying a position of strategic importance between the Asian and Australian continents and within most of the important Asian waters.

Secondly, the United Nations Convention on the Law of the Sea (UNCLOS) is one of the most important constitutive instruments in international law regulating the uses of one of the world's largest set of resources.

On the issue of the safety of navigation and maritime security, I wish to take this opportunity to underline our unwavering commitment to suppressing armed robbery and piracy on the high seas adjacent to waters within our national jurisdiction. Indonesia, together with other littoral States, continues to strengthen cooperation in combating armed robbery and piracy in the Straits of Malacca and Singapore. We are pleased that those concerted measures have significantly decreased incidents of piracy and armed robbery against ships in the region.

As far as the situation off the coast of Somalia is concerned, Indonesia notes the adoption of Security Council resolution 1897 (2009) on 30 November 2009. In this regard, my delegation also recalls Council resolutions 1816 (2008), 1831 (2008), 1838 (2008), 1844 (2008), 1846 (2008) and 1851 (2008), which were adopted to narrowly address piracy and armed robbery committed against ships off the coast of Somalia. Therefore, the authorization granted under those resolutions does not affect rights or obligations or responsibilities under international law, including any rights or obligations under UNCLOS, and they are not considered to establish customary international law.

The Government of Indonesia attaches great importance to the work of the Commission on the Limits of the Continental Shelf. We appreciate that, at its twenty-third session, the Commission began consideration of our submission with respect to north-west Sumatra, Indonesia.

However, Indonesia is concerned about the recent work overload that the Commission must be facing in view of the large number of submissions it has already received, as well as forthcoming submissions that could impact on the Commission's projected work timetable. We hope that States actively participating in the ongoing work of the informal working group dealing with the issue of the Commission's workload will contribute constructively.

Furthermore, we encourage States to make additional contributions to the two voluntary trust funds established by resolution 55/7 with laudable objectives. Those trust funds facilitate the preparation of submissions to the Commission by developing States and are also used to defray the cost of the participation by developing States members of the Commission in meetings of the Commission and its subcommissions.

Turning to fisheries issues, Indonesia is of the view that the United Nations Fish Stocks Agreement is of paramount importance. For that reason, on 28 September 2009, Indonesia ratified the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

Indonesia believes that that Agreement sets out principles for the conservation and management of fish stocks and provides for management based on a precautionary approach and the best available scientific information. The Agreement also develops the fundamental principle established in the Convention that States should cooperate to ensure conservation and promote the objective of optimally utilizing fisheries resources both within and beyond their exclusive economic zones. By ratifying and implementing the Agreement, Indonesia joins the international community in its efforts to sustainably manage fish stocks and their link to the marine environment.

We continue to be very concerned about illegal, unregulated and unreported (IUU) fishing activities that threaten the sustainability of fish stock resources. Indonesia is of the view that such fishing is a global problem that undercuts responsible fishing activities. It undermines conservation and enforcement efforts and distorts trade and prices in export markets. In the light of that, Indonesia welcomes the adoption by the Food and Agriculture Organization of the United Nations on 22 November 2009 of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.

The Agreement recognizes that States have the sovereign right to decide which foreign vessels may enter their ports, in particular as regards vessels that undertake or support IUU fishing activities, building on existing measures taken in some regional fisheries management organizations. Obviously, the effectiveness of the Agreement depends on its wide ratification and implementation. But it is hoped that the agreement will help block IUU-caught fish from entering international markets, thereby removing an important incentive for some fishermen to engage in illicit fishing.

Issues related to oceans and climate change continue to be of serious concern for coastal States. Indonesia's unique situation has caused us to undertake

special initiatives to increase our awareness of the impact of climate change in connection with the ocean and of the ocean's possible role in addressing the challenge of climate change. That is why, for the second consecutive year, Indonesia supports the insertion of a paragraph concerning climate change and the oceans in the draft resolution on oceans and the law of the sea.

Indonesia is pleased that the draft resolution we are about to adopt makes reference to the need to improve understanding of the impact of climate change on the ocean, following on the World Ocean Conference, which was held in Manado, Indonesia, in May this year, at which the Manado Ocean Declaration was adopted. We believe that the Declaration will contribute to shedding light on the new challenges we face in promoting healthier oceans for the socio-economic benefit of present and future generations.

The Declaration also emphasizes the need for the international community to work together for improved understanding of the impact of oceans on climate change and vice versa, and its effects on marine ecosystems, marine biodiversity and coastal communities.

The Declaration underscores the importance of incorporating ocean-sensitive policies into climate change policy at the global level within the existing framework of the United Nations Framework Convention on Climate Change, thereby making sure that the concerns of ocean communities and coastal countries will be taken into account without necessarily creating new processes that might duplicate existing ones.

Lastly, with regard to consultations, we wish to underline the importance and value of the informal, open and inclusive nature of the consultative process for discussions on ocean affairs within the United Nations system.

Before concluding, I would like to take this opportunity to thank the coordinators of the law of the sea and the sustainable fisheries resolutions, Ambassador Henrique Valle of Brazil and Ms. Holly Koehler of the United States of America, for their able leadership and excellent contribution to the work on the two resolutions before us today.

**Mr. Tladi** (South Africa): I am grateful for the opportunity to take the floor on this very important

topic, that of oceans and the law of the sea. I am also happy to associate myself with the statement delivered by the Permanent Representative of Benin, who spoke on behalf of the Group of African States.

This debate gives us an opportunity to reflect on our activities over the sixty-third session and look forward to forthcoming activities at the sixty-fourth session. We should, as we reflect and look forward, be continually guided by the United Nations Convention on the Law of the Sea (UNCLOS), which constitutes the framework within which all activities in the oceans take place. In reflecting on those activities, we should be ever mindful of the opportunities, challenges and prospects in our efforts to create an oceans governance system underpinned by sustainable development.

My delegation is unwavering in its belief in the universal character of UNCLOS and that large parts of it constitute customary international law binding on all States, whether State party or not. We are particularly pleased to welcome Chad, the Dominican Republic and Switzerland, which have, since our last debate on the agenda item, become States parties to the Convention, thereby bringing the total number of States parties to 160. We hope that in the near future all Member States of the United Nations will accede to the Convention so that this instrument, the "Constitution of the oceans", can achieve quantitative universality.

We hope also that those States parties that are not as yet party to the two implementing agreements of the Convention, namely the Agreement relating to the Implementation of Part XI of the Convention on the Law of the Sea of 10 December 1982 and the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, will accede to those agreements sooner rather than later.

We welcome the outcome of the negotiations on the draft omnibus resolution on oceans and the law of the sea and are proud, once again, to co-sponsor the resolution. We also welcome the fruitful deliberations on the draft fisheries resolution. It was on 8 December 2006 that the General Assembly adopted resolution 61/105, which contained provisions on bottom fishing.

In that resolution we called on the regional fisheries management organizations (RFMOs) and arrangements with competence to regulate bottom

fisheries to adopt and implement certain measures to protect vulnerable marine ecosystems. In the resolution we also called for a review of those measures at the current session. In his report on actions taken by States and RFMOs in the implementation of resolution 61/105, contained in A/64/305, the Secretary-General noted that, while progress has been made, implementation of the resolution had been uneven and that further efforts were needed.

We are of the view that more could be done to protect vulnerable marine ecosystems from the damage that can occur as a result of bottom fishing than the protective regulations laid out in resolution 61/105. We remain optimistic, however, that the approach we have taken this year, the result of consensus, will contribute to the cultivation of more sustainable fishing practices. We are particularly hopefully that in 2011, when we meet to yet again review the measures we have adopted, sterner regulations will have been adopted and wider implementation recorded.

It will come as no surprise to many here that my delegation attaches particular importance to Part XI of the Convention. We therefore continue to push for the early implementation and operationalization of the common heritage of humanity principle, as reflected in Part XI. For that reason, my delegation is an active participant in the deliberations of the International Seabed Authority (ISA).

We are concerned at the apparent inability of the Council of the International Seabed Authority to finalize regulations on polymetallic sulphides. We are encouraged by the fact that only a few contentious issues, including the question of overlapping claims and the anti-monopoly provision, remain. Nonetheless, we urge delegations to do their utmost to ensure that a consensus is reached on those outstanding issues.

We believe that the Convention, in particular Annex III, entitled "Basic Conditions of Prospecting, Exploration and Exploitation", provides a sound basis for enabling the finalization of outstanding issues at the next meeting of the Authority in April 2010.

For us, the common heritage of humanity principle is not only an esoteric concept, but a principle of international law. We are thus concerned at the lack of its implementation and operationalization owing to, inter alia, the non-completion of the regulations.

Another factor having a negative impact on the full implementation of Part XI of the Convention is the difficulty encountered in the establishment of the outer limits of the continental shelf, as provided for in article 76 of the Convention. South Africa sent its continental shelf submission to the Commission on the Limits of the Continental Shelf (CLCS) in May of this year, in accordance with the Convention and yet, owing to the workload of the Commission, the prognosis is that a subcommission to consider the South African submission will only be formed in 2019.

That is a most unsatisfactory situation. We have no doubt that the only solution to that difficulty will be to have longer and/or more frequent sessions of the Commission. Indeed, there may be legal, technical and financial constraints. But the significance of the endeavours to establish the limits of the continental shelf leads me, unavoidably, to a cliché, namely, that “where there is a will, there is a way”. We therefore call on States to consider innovative ways to facilitate the funding of such longer and/or more frequent sessions of the CLCS.

The Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) held its review in June of this year. We are pleased that, after much discussion, the vast majority of delegations that took part in UNICPOLOS discussions were supportive and saw it as an important forum to deliberate, in an informal manner, issues pertaining to oceans and the law of the sea, with a view to strengthening coordination and contributing to the deliberations of the General Assembly under the agenda item.

We were also particularly pleased that attendees at the meeting recognized the centrality of sustainable development as the prism through which those issues ought to be discussed. My delegation wishes to reiterate its commitment to UNICPOLOS and looks forward to working with other delegations to strengthen that important forum for the law of the sea. We are pleased that in the next session we will have an opportunity to discuss an issue that has not been given sufficient follow-up, namely, capacity-building in oceans affairs and the law of the sea, including marine scientific research.

I now wish to make some brief observations on a forthcoming issue that is of particular importance to my delegation. In February 2010, the Ad Hoc Open-

ended Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction will meet. That will provide us with an opportunity to make progress on key issues relating to marine biodiversity beyond national jurisdiction.

Some of the key questions that will be confronting us will be how to improve the governance of the oceans, so as to ensure better protection of the marine environment in accordance with the Convention. Another issue that is sure to confront us will be the question of marine genetic resources and, in particular, whether the common heritage of humanity principle is applicable thereto — that is, the “legal regime” debate.

The view of my delegation, which is rooted in the call for solidarity embodied in sustainable development, is well known and can be summed up by what we said in 2008 during the last meeting of the Ad Hoc Working Group, namely, that the common heritage of mankind principle is not solely about benefit sharing. It is just as much about conservation and preservation. The principle is about solidarity; solidarity in the preservation and conservation of a good we all share and therefore should protect. Solidarity also implies joint efforts to ensure that this good, which we all share, is for all our benefit.

It is our hope that the meeting of the Ad Hoc Working Group in February will come up concrete proposals on how to move issues relating to conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction forward. From the perspective of my delegation, it is clear that moving forward must, somehow, involve discussion about an implementing agreement to give expression to the clear provisions of the United Nations Convention on the Law of the Sea, namely, that the Area and its resources — not just some of its resources, but all of them — are the common heritage of humanity.

We trust that, as we make preparations for how we will participate at this forthcoming meeting, we will remember that what is at stake is not only the narrow commercial interests of some. What is at stake is the health of our marine environment and the humanity, which can only be reflected in our solidarity in ensuring equitable access for all.

**Mr. Muchemi** (Kenya): Allow me to start by congratulating you, Mr. President, on your election as

President of the General Assembly at its sixty-fourth session. I also convey to the other members of the Bureau warm congratulations for their elections. My delegation assures you of its support and full cooperation during your tenure.

My delegation fully aligns itself with the statement delivered by the representative of Benin on behalf of the African States.

Kenya expresses its appreciation and recognition for the key role the United Nations continues to play in matters relating to the law of the sea. I would like to commend the good work of the Secretariat of the Division for Ocean Affairs and the Law of the Sea under the able leadership of Mr. Serguei Tarassenko, and to thank them for their support, in particular during the recent informal consultations.

My delegation notes with appreciation the various reports of the Secretary-General on the subject of oceans and the law of the sea. We also appreciate the text of the draft resolution on oceans and the law of the sea, resulting from this year's informal consultations in the General Assembly, and the draft on sustainable fisheries, both of which we are pleased to sponsor. I now wish to comment on some of the issues that are of great concern to my delegation.

Kenya is among the many coastal States that delivered their submissions on the continental shelf beyond 200 nautical miles to the Commission on the Limits of the Continental Shelf (CLCS) within the stipulated deadline of 13 May 2009. This was followed by an oral presentation made before the Commission at its twenty-fourth session on 3 September 2009.

At an early stage in the preparation of its submission, Kenya noted with concern the anticipated heavy workload of the Commission that will be occasioned by the considerable number of States filing their submissions to the Commission in compliance with the deadline set for delineation of the extended continental shelf. Some 51 submissions have already been received and many others are expected. The Commission will subsequently be faced with the huge workload of examining all the submissions within an acceptable time frame. This places a huge and unprecedented burden on both the Commission and the secretariat of the Division.

During the nineteenth Meeting of States Parties to the Convention, the Chairman of the Commission

presented to the plenary a tentative timetable detailing when the 51 submissions already received might be considered. The situation as projected would result in a considerable time lapse between the preparation of submissions and their consideration by the Commission, a scenario that is obviously unacceptable to my country, considering that it will greatly jeopardize our submission. The problem is compounded further by difficulties associated with the retention of the expertise that was directly responsible for the preparation of the submission, including the loss of institutional memory.

Kenya welcomes the recommendations contained in paragraphs 52 and 53 of the omnibus draft resolution encouraging States to participate actively and constructively in the ongoing work of the informal Working Group established by States parties to find practical ways of resolving this matter. My country is ready to support proposals aimed at accelerating the work of the Commission, and will forward its views to the Working Group before the February 2010 deadline for the submission of comments and suggestions. We are convinced that the outcome of the Meeting of States Parties in June 2010 should be informed by the recommendations submitted to the Working Group for incorporation into the Secretary-General's report on the problem, which is contained in document SPLOS/157.

The issue of piracy and armed robbery against ships at sea off the coast of Somalia is of grave concern to my country. These activities have greatly affected trade and commerce in the entire subregion. In addition, acts of piracy have led to artificial shortages of food and other essential commodities. This poses a serious security risk that, if left unchecked, could cause a serious crisis and much instability in the entire region.

Although efforts by the international community, including the establishment of a Contact Group on Piracy off the Coast of Somalia, have had some deterrent effect on piracy and armed robbery in our region, more needs to be done. In particular, it appears that apprehended pirates are being prosecuted mainly in Kenyan courts. This burden weighs heavily on Kenya, in terms of financial cost and security exposure, and we call upon all other nations to participate in this endeavour.

Capacity-building is an area that is regarded with great interest by my country. The lack of capacity and



technical know-how has immensely contributed to the inability of developing countries to exploit and utilize marine resources, especially those found within their national jurisdictions. Needless to say, this has also aggravated illegal, unreported and unregulated fishing. We appreciate the assistance extended to Kenya by the Division and by the Trust Fund for the purpose of facilitating the preparation of submissions by developing countries to the Commission. It is of vital importance to strengthen cooperation to facilitate the transfer of technology to developing nations. In this regard, we urge States and other relevant international organizations and institutions with the ability to do so to increase funding, training opportunities and other capacity-building-related activities for developing nations.

In conclusion, my delegation reaffirms its commitment to the ideals enshrined in the United Nations Convention on the Law of the Sea and reassures the President of the General Assembly of its support. We look forward to the fruitful deliberations of this body under his able guidance.

**Mr. Gutiérrez García** (Cuba) (*spoke in Spanish*): We reaffirm the fundamental importance of the United Nations Convention on the Law of the Sea in maintaining and strengthening peace, order and the sustainable development of the oceans and seas.

Cuba places particular emphasis on the need to strengthen international cooperation among all stakeholders participating in the management of seas and oceans, including knowledge exchange and capacity-building, which are of vital significance for developing countries.

For my country, as an island located in the delicate ecosystem of the Caribbean Sea, issues relating to the seas and the oceans are of particular interest. Despite the serious economic hardships that it faces, Cuba has carried out and continues to carry out great efforts to implement national strategies for sustainable development and for the protection of the marine environment, with a view to achieving a coherent, progressive and effective implementation of the Convention's provisions.

The United Nations Convention on the Law of the Sea establishes the proper and universally accepted legal framework within which all of the activities on the oceans and seas must be carried out. We are, therefore, concerned by policies and initiatives that are

undermining the regime of the Convention, such as the management being assigned to new sustainable uses of oceans, including the conservation and management of marine biological biodiversity of sea beds beyond areas of national jurisdiction. In this respect, States must abide by the principles established in the Convention, which provides that marine scientific research in such areas must be carried out exclusively for peaceful purposes and for the benefit of humanity as a whole.

We warmly welcome the work of the Ad Hoc Working Group of the Whole tasked with recommending a course of action to the General Assembly on the regular process for global reporting and assessment of the state of the marine environment, including socioeconomic aspects. We welcome in particular the recommendations annexed to its report. This process must be carried out on the basis of respect for the principles enshrined in the aforementioned recommendations, which guarantee the full transparency of the process and an equitable geographic participation in all activities of the process. Cuba believes that, under the supervision of the General Assembly and in order to ensure greater coherence, that process must have the ongoing assistance of the Division for Ocean Affairs and the Law of the Sea.

Matters concerning crime at sea must be addressed on a case-by-case basis. They require holistic solutions under international law and strict respect for national jurisdictions. The Cuban State is endowed with a solid institutional basis and national legislation when it comes to addressing crime at sea, in particular with regard to the illicit traffic in narcotic drugs and psychotropic substances, trafficking in persons and piracy. Likewise, intense work is being done to continue to strengthen bilateral and regional cooperation, with due respect for the principles of international law and State sovereignty over territorial waters and the management of resources in their exclusive economic zones.

We would also like to underscore the importance of preserving the Convention's integrity and the implementation of its provisions as a whole, including respect for the right of passage and the obligation of States bordering straits to adopt laws and regulations relating to transit passage through straits.

Oceans and seas today face one of the greatest challenges in history, namely, problems arising from

climate change on an unprecedented scale. Arctic ice thickness continues to decrease. Glaciers are receding. The sea level is rising. Small island States run the risk of disappearing under water.

The interconnected nature of ocean systems leaves no other option but for all States to cooperate to ensure the protection of the global marine environment. Either we are all saved or no one is. Developed countries therefore have a responsibility to provide assistance to developing countries at their request, so as to work together to protect oceans and seas.

With regard to 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, Cuba is not a party to the Agreement, but we comply in good faith with its major provisions on conservation and management. The main reason that has prevented Cuba from becoming party to the Agreement has to do with its concern about the mechanism of visits and inspection aboard fishing vessels, which is provided for in articles 21 and 22 of that instrument.

I do not want to conclude without expressing our appreciation for the work done by the coordinators of the two draft resolutions to be adopted on this topic, which Cuba will support. Likewise, owing to the growing importance of the issue of oceans and the law of the sea, there is a need to provide full conference and translation services for informal meetings to negotiate such draft resolutions. That would contribute to the quality of the negotiations, so that they clearly reflect the interests of all States, in particular of developing countries.

**Mr. Kohona** (Sri Lanka): We would like to take this opportunity to thank the two coordinators who have guided us in the shaping the draft resolutions before us. We also wish to thank the Division for Ocean Affairs and the Law of the Sea for the support it has provided in that task.

The United Nations Convention on the Law of the Sea is the overarching instrument that provides the legal framework for State activities relating to the seas and the oceans and for the regulation of the exploitation of their resources. It has been said that the Convention provides the constitution for the seas and

oceans. All States parties, and others, have a fundamental responsibility to protect the integrity of the Convention. Many provisions of the Convention are now considered to be part of customary international law.

In this statement, my delegation wishes to address the issues of fisheries, climate change, the continental shelf and piracy.

In relation to sub-item (b) of agenda item 76, on sustainable fisheries, the Convention on the Law of the Sea provides for the protection and preservation of the marine environment. The issue of fisheries management has assumed much importance. Today, the regulation of the exploitation and preservation of the living resources of the high seas, or the areas beyond the limits of national jurisdiction, are governed by the 1995 Straddling Fish Stocks Agreement and other international, regional and subregional arrangements. Fishing activities have the most significant impact on marine biodiversity in areas within and beyond national jurisdiction.

We are conscious of the overfishing of stocks, habitat degradation from destructive fishing practices and the incidental capture of non-target species, including endangered species. My delegation welcomes the steps taken by the United Nations and various agencies — such as the Food and Agriculture Organization, the International Whaling Commission and the Forum Fisheries Agency — with regard to those aspects. We encourage them to develop further strategies to that end.

Fish do not recognize national jurisdictions. As a nation that is surrounded by the sea and is substantially dependent upon the ocean, we would like to see fisheries beyond the limits of national jurisdiction better controlled through cooperative means. The Indian Ocean Tuna Commission is active in its namesake region. However, there is a need for a regional fisheries management organization or arrangement with wider powers and the capacity to effectively regulate all high-seas fisheries and the conservation of stocks in that vast expanse of ocean.

While we endorse the adoption of international agreements, guidelines and practices for the better regulation of bottom fisheries, we are conscious of the need to accommodate the difficulties that developing countries may face, especially owing to the lack of capacity, in enforcing such measures. Accordingly, we

are pleased that the negotiations led to the adoption of paragraph 121 in draft resolution A/64/L.29, which recognizes the special circumstances and requirements of developing States and the specific challenges they may face and gives full consideration to the section of the guidelines on the special requirements of developing countries.

Sri Lanka would also like to refer to the study prepared by the Secretariat, which is contained in document A/63/342, with regard to the assistance available to, and measures that may be taken by, developing States to realize the benefits of the sustainable and effective development of marine resources and the uses of oceans. The scope of the study has now been extended to include areas beyond national jurisdiction, which include the high seas.

Oceans are indivisible ecosystems in which national boundaries are products of political expediency. Therefore, while jurisdiction over resources gives the needs of developing States with respect to the sustainable development of maritime space within national jurisdiction an urgent and distinctive dimension, their needs in maritime space beyond national jurisdiction are to be viewed in an integrated manner. Sri Lanka therefore welcomes the supplemental inclusive study to include the needs of the developing States and the potential assistance available to them with respect to the whole ecosystem of oceans, as envisaged in the draft resolution. Turning to sub-item (a) of agenda item 76 and the Commission on the Limits of the Continental Shelf: my delegation considers that body to be most important, and we believe that measures should be taken immediately to secure the effectiveness of the important work of the Commission.

A matter of great concern is the Commission's workload. States were required to submit their claims to the continental shelf beyond 200 nautical miles by 13 May 2009. Many States, at great expense and with the use of outside technical expertise, made these submissions within the stipulated deadline. Sri Lanka was one of them. However, the workload of the Commission and the slow progress it has made in dealing with the submissions have evoked great concern. It is estimated that some claims already lodged may be examined as late as 2040.

We are, in fact, pleased to have participated in the efforts to find practical solutions to this problem. We

look forward to positive results and appropriate measures being adopted by the twentieth Meeting of the States Parties to the Law of the Sea Convention in 2010 and by the sixty-fifth session of the General Assembly.

Climate change continues to figure prominently on the international agenda, as human-induced changes to the climate continue to threaten the global environmental balance. The world's oceans play a critical role in sustaining life on earth by generating oxygen and absorbing carbon dioxide from the atmosphere, regulating climate and temperature and providing essential resources. Changes to the climate have a direct impact on the oceans and lead to a number of critical threats, such as sea-level rise and ocean acidification. Such effects also impair the ability of marine and coastal ecosystems to provide food, income, cultural identity and recreation to coastal residents. Sea coasts are also a major source of tourism income for many States.

Many key climate indicators have already helped improve our understanding of the patterns of natural variability within which our societies and economies have developed and thrived. Ocean warming appears to be approximately 50 per cent greater than what we had predicted. New estimates suggest that by 2100 sea levels could rise by one metre or more. The impacts of ocean acidification on some major marine calcifiers already appear to be detectable and some coastal waters have become corrosive to the shells of various bottom-dwelling organisms. The oceans may be losing the ability to absorb carbon dioxide. With unabated levels of greenhouse-gas emissions, many climate trends are likely to accelerate, leading to an increasing risk of abrupt or irreversible climate shifts.

The adverse effects of climate change on the marine environment and marine biodiversity are matters of serious concern and have to be addressed with a sense of urgency. Research activities need to be enhanced to help us to better understand the effects of climate change on the marine environment and biodiversity, and to develop ways and means of adaptation. Research on ocean acidification has to be pursued to address levels of ocean acidity and their negative impact on vulnerable marine ecosystems, particularly coral reefs. It is necessary, therefore, to recognize the importance of improved understanding of the impact of climate change on the oceans and to

formulate and adopt mitigating strategies to overcome them.

Regarding piracy, my delegation expresses its grave concern at the increase in the incidence of piracy, which poses a threat to maritime security and safety. This has become a threat to global trade and a factor, for instance, in insurance costs. We welcome the concerted efforts made by some States to combat piracy. All types of vessels have been targeted, often by well-armed criminals with rocket-propelled grenades and automatic weapons. More than 238 attacks occurred in the first six months of 2009 alone. Sri Lanka is a party to the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), which, with its information-sharing, has had positive effects in the region.

In addition to piracy, another threat to maritime security is that posed by the transportation of large consignments of sophisticated equipment and lethal cargo to provide logistical support to terrorist groups. In recent years, Sri Lanka has experienced unprecedented and highly dangerous forms of maritime terrorism. Our navy has successfully confronted and interdicted the movement of virtual floating warehouses of arms and ammunition, posing a grave threat to the security and stability of our country and our region. At the global level, this phenomenon calls for a revision of existing laws pertaining to boarding and search of vessels in the high seas. We need a comprehensive legal framework to address all aspects of safety and security of maritime navigation, going beyond the current concerns with weapons of mass destruction. This would make a distinct contribution to securing global peace and security. Sri Lanka strongly supports paragraphs 68 to 83 of the draft resolution (A/64/L.18 and Corr.1) addressing the issues of piracy and armed robbery at sea.

Finally, I would like to express our gratitude to Ms. Patricia O'Brien, the United Nations Legal Counsel, for her undertaking to comply with the assurance given by her predecessor that the Hamilton Shirley Amarasinghe Fellowship on the Law of the Sea would continue with the next award in 2010. The Fellowship has acquired much prestige, as it honours a prominent Sri Lankan who guided the third United Nations Conference on the Law of the Sea from its very inception and as Chair of the Ad Hoc Committee

on the Seabed and Ocean Floor till nearly the end of the Conference.

**Mr. Gan** (Singapore): I have the honour to speak on sub-item (a) of agenda item 76, "Oceans and the law of the sea". The Straits of Malacca and Singapore are one of the busiest international waterways in the world, linking the Indian Ocean to the South China Sea. On average, more than 900 ships use the Strait of Singapore every day, with more than 80 per cent of these ships arriving and departing from the port of Singapore. Maritime trade and freedom of navigation are therefore of critical importance to our country. We also see the United Nations Convention on the Law of the Sea as the principal international legal instrument for dealing with all issues relating to maritime rights and obligations.

A crucial characteristic of the Convention is that it is an indivisible package and as such, it must be read as a whole and fully complied with. When the Convention was drafted, the negotiators recognized that there were a number of very contentious issues that could be resolved only through trade-offs and by accepting the Convention as a package. That meant that every individual provision of the text was agreed on within the context of the whole. This is especially true of the new legal concepts and regimes created under the Convention, such as exclusive economic zones, archipelagic States, transit passage and archipelagic sea lanes passage. We must, therefore, avoid emphasizing parts of the Convention that we like while ignoring parts that we do not. We should not extract paragraphs from the Convention out of context, or misuse certain provisions in an attempt to justify measures that are inconsistent with the Convention. All States Parties have a shared interest in maintaining the integrity of the Convention.

A key bargain in the Convention was balancing the aspirations of coastal States to expand the extent of their territorial sea from 3 to 12 nautical miles with the right of the international community to enjoy free and uninterrupted passage through some of the world's critical sea lanes. Coastal States were therefore allowed to expand the extent of their territorial sea out to 12 nautical miles, in exchange for accepting a special regime of passage for ships and aircraft going through and over the 116 straits used for international navigation. This special regime, under which a ship or aircraft enjoys unimpeded passage through the strait, subject to the provisions of the Convention, is known

as “transit passage”. The coastal State may not interfere with that passage, even if the sea lane is within its territorial sea. This critical provision ensures the continued use of the seas and oceans to facilitate global trade, 85 to 90 per cent of which is seaborne.

It was not easy for the drafters of the Convention to arrive at that crucial and delicate balance between the claims of coastal States for more rights over their adjacent seas and the historic rights of user States over those seas. It would thus be wise to maintain that balance, as it benefits both coastal States and user States. With the economies of the world becoming more open and interconnected and as trade flows increase, States that used to think in terms of protecting their interests as coastal States will find that they have significant and growing interests as user States as well. It is, therefore, our firm belief that, within the framework of the Convention, coastal States and user States can work hand in hand to ensure their common interests such as safety of navigation and environmental protection.

Singapore is pleased to note the fruitful cooperation among the littoral States of the Straits of Malacca and Singapore as well as between the littoral States, user States and other key stakeholders in ensuring the safety of navigation and environmental protection of critical international waterways in our region. The establishment of the Cooperative Mechanism on the safety of navigation and environmental protection in the Straits of Malacca and Singapore in September 2007 was a landmark achievement, as it provides a platform for the littoral States to engage user States, the shipping industry and other stakeholders in enhancing the safety of navigation and protection of the marine environment in the Straits. We are pleased to report that the Cooperative Mechanism has made good progress in all its three pillars, namely the Cooperation Forum, the six Straits projects under the Project Coordination Committee and the Aids to Navigation Fund, since its inception two years ago. We are encouraged by the steady progress in the number of countries and other stakeholders contributing to the Cooperative Mechanism, including Australia, China, the European Commission, Germany, Greece, India, Japan, the Republic of Korea, the United Arab Emirates, the United States, the Malacca Strait Council, the Middle East Navigation Aids Service, the Nippon Foundation and the Japanese Shipowners’ Association.

More recently, Indonesia, Malaysia and Singapore concluded a Joint Technical Arrangement with the International Maritime Organization (IMO) to institutionalize an IMO Fund that supports cooperation amongst stakeholders aimed at enhancing safety and maritime cooperation in the Straits of Malacca and Singapore. The Fund benefited from an initial contribution of \$1 million from Greece, as well as a further pledge of \$100,000 from China, and marks another major step forward in promoting and facilitating international cooperation in this important international waterway. We look forward to the continued participation and support of all stakeholders.

In the larger Asian region, Singapore is pleased to note the continued close cooperation between littoral, coastal and user States aimed at combating piracy. The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP), which came into force in 2006, is the first Government-to-Government agreement that addresses the incidence of piracy and armed robbery in the Asian region. Contracting States to the Agreement share information on incidents of piracy and armed robbery, including reports on subsequent law enforcement investigations and their outcomes, through the ReCAAP Information Sharing Centre (ReCAAP ISC), based in Singapore. The Information Sharing Centre makes publicly available regular updates and analyses on the piracy and armed robbery situation in the Asian region. The ReCAAP ISC is now regarded as the crucial source of information on piracy and armed robbery in Asia for both the media and the industry.

Singapore is also heartened by the ongoing cooperation between ReCAAP ISC and IMO, where IMO has held up ReCAAP as a model of intergovernmental cooperation against piracy for other regions. Most recently, in November 2009, ReCAAP ISC, in conjunction with IMO, organized a familiarization programme for the Djibouti Code countries in Singapore and facilitated the participation of the same countries in a ReCAAP capacity-building workshop in the Philippines.

We are confident that the Agreement will continue to play an important role in promoting maritime safety and security in our region. The continued decline in piracy in the Asian region is testament to the success of the organization, together with other regional and national initiatives in the

region to fight piracy and armed robbery, such as the Malacca Strait Patrols.

As a major maritime nation, Singapore is also strongly committed to supporting the international counter-piracy efforts in the Gulf of Aden and off the coast of Somalia. In addition to deploying a tank-landing ship to the Gulf of Aden from April to July 2009, Singapore will also be taking command of Combined Task Force 151 from January to March 2010. The piracy situation off the Somali coast is a complex and multifaceted problem that is beyond the scope of any one country to resolve. It requires a coordinated and holistic international response.

Therefore, the development of international cooperation in those waters, with ships from various nations learning to self-organize into naval patrols and to communicate with one another, is a welcome

development. Such efforts, carried out in accordance with international law, demonstrate the important roles that user States can play to complement the efforts of the littoral States in combating piracy and ensuring the safety and freedom of navigation in key sea lanes used for international shipping.

Singapore fully supports the ongoing efforts by both the United Nations and IMO to address the urgent situation in those waters. We would also be happy to share our experience in working with Malaysia and Indonesia, through initiatives such as the Malacca Strait Patrols, and our experience as the host of ReCAAP ISC, which has contributed to successfully reducing piracy in the Straits of Malacca and Singapore.

*The meeting rose at 1.20 p.m.*