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Official Records
:

President: Mr. Deiss (Switzerland)

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

Agenda item 74

Oceans and the law of the sea

(a) Oceans and the law of the sea

Reports of the Secretary-General (A/65/69 and Add.1 and Add.2)

Report of the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its eleventh meeting (A/65/164)

Report on the work of the Ad Hoc Working Group of the Whole on the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects (A/65/358)

Letter from the Co-Chairs 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 (A/65/68)

Draft resolution (A/65/L.20)

(b) Sustainable fisheries, including through the 1995 Agreement for the Implementations 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

Draft resolution (A/65/L.21)

The President (*spoke in French*): An additional document issued in connection with agenda item 74 is the final report of the resumed Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (see A/65/528).

We will proceed with the introduction of draft resolutions A/65/L.20 and A/65/L.21. I give the floor first to the representative of Brazil to introduce draft resolution A/65/L.20.

Mrs. Dunlop (Brazil): Brazil has had the honour to coordinate the General Assembly's consultations on draft resolution A/65/L.20, on oceans and the law of the sea, and thus has the privilege of introducing the text. The sustained importance of this comprehensive draft resolution reflects the awareness that the problems of ocean space are closely interrelated and need to be considered as a whole. It also reflects the historic significance of the United Nations Convention on the Law of the Sea as an important contribution to the maintenance of peace, justice and progress for all peoples of the world.

Brazil continues to attach great importance to the General Assembly's annual debates on this item. In that regard, we welcome the reports prepared by the Secretary-General, as contained in document A/65/69 and in its two addenda.

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506. Corrections will be issued after the end of the session in a consolidated corrigendum.



At the outset, let me express appreciation for the spirit of cooperation that continues to prevail in crafting the draft resolution on oceans and the law of the sea. That spirit of cooperation should also inspire our efforts to address the complex challenges that have to be met in order to realize a just and equitable international economic order that takes into account the interests and needs of mankind as a whole and, in particular, the special interests and needs of developing countries, whether coastal or land-locked.

This year's draft resolution once again contains important provisions that address critical issues. Among its most noteworthy aspects are the provisions to strengthen and enhance capacity-building in the area of oceans and the law of the sea and those related to the establishment of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects.

Brazil is very pleased with the successful outcome of this year's review of the Open-Ended Informal Consultative Process on Oceans and the Law of the Sea, in particular on capacity-building issues in ocean affairs and the law of the sea. Capacity-building is an issue that cuts across most areas covered by the Convention and is of utmost importance for developing countries. In his report in document A/65/69, the Secretary-General informs us that no comprehensive assessment has been carried out at the global level of the capacity-building needs of States in relation to ocean affairs, and that disparities continue to exist among national experiences. Capacity-building initiatives are thus even more significant in view of the ever-increasing challenges to achieving sustainable development and the full enjoyment of peace and security.

In that regard, we look forward to reviewing progress and gaps in the implementation of the outcomes of the major United Nations conferences on sustainable development with regard to oceans and seas, in the context of the twelfth meeting of the Informal Consultative Process, in 2011. The review is intended as a contribution of the Consultative Process to the United Nations Conference on Sustainable Development to be held in Rio de Janeiro in 2012 — Rio+20.

We welcome with great satisfaction the establishment of the regular process for global reporting and assessment of the state of the marine

environment, including its socio-economic aspects. That important accomplishment gives full effect to the recommendation contained in the Johannesburg Plan of Implementation of the World Summit on Sustainable Development.

The Regular Process, as established under the United Nations, will be accountable to the General Assembly. It will be intergovernmental and guided by international law, including the United Nations Convention on the Law of the Sea and other applicable international instruments, and it will take into account the relevant Assembly resolutions. An ad hoc working group of the whole composed of Member States will oversee the Process, with secretariat support from the Division for Ocean Affairs and the Law of the Sea.

The draft resolution requests the Group of Experts to develop a set of options necessary to achieve the deadline of 2014, recommending a course of action to be considered by the General Assembly. The Group of Experts should present that set of options during the next meeting of the Ad Hoc Working Group in 2011.

The Commission on the Limits of the Continental Shelf continues to face a heavy workload. During the last meeting of the States Parties to the Convention, we acknowledged that the Commission estimates that unless options are found to expedite consideration of submissions without prejudice to the efficiency, effectiveness and high level of expertise, it may conclude consideration of the submissions received thus far only in 2030. We therefore welcome the adoption of decision SPLOS/216, during the twentieth meeting of the States Parties to the Convention earlier this year, which requests the Commission to consider urgently adopting measures to expedite its work. The draft resolution before the Assembly also requests the Informal Working Group established by the meeting of States Parties to continue to address this pressing issue, including the possibility of a full-time Commission. Cooperation is called for to address this critical impediment to the development of non-living resources on the outer continental shelf.

It should be noted in that regard that the International Seabed Authority has called for the creation of a group of governmental and other relevant experts to propose ways for the Authority to implement article 82, paragraph 4, of the Convention on the Law of the Sea. With the long lead time needed for mineral

development projects, it will be important to address such issues well before the start of commercial production from the outer continental shelf. Recent studies published by the Authority concluded that we could realistically anticipate the first commercial production of resources from the outer continental shelf by 2015.

Brazil welcomes the adoption of 25 June as the International Day of the Seafarer by the States members of the International Maritime Organization. We also reiterate our commitment to combating threats to maritime security in accordance with international law, particularly the principles embodied in the Charter and the Convention.

The draft resolution recalls the need for enhanced cooperation in combating those threats, with due regard given to the importance of sustained capacity-building in developing countries. In that respect, the text emphasizes the need to address the root causes of piracy in Somalia and to assist that country and States in the region to strengthen institutional capacity to fight piracy and armed robbery against ships off the coast of Somalia.

The text before us notes the need to enhance scientific activity to better understand the effects of climate change and develop ways and means of adapting, in order to protect the marine environment.

The central role of the General Assembly relating to the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction is duly underscored in the draft resolution, which also notes the work done by the Conference of the Parties to the Convention on Biological Diversity at its meeting in Nagoya with regard to matters under the purview of the Convention. It also reiterates the importance of considering the legal regime governing marine genetic resources in areas beyond national jurisdiction in the context of the mandate of the Ad Hoc Open-ended Informal Working Group of the Whole established pursuant to resolution 59/24.

In 2010 we celebrated the International Year of Biodiversity. Progress in that field is needed, given the abundance and diversity of marine genetic resources and their value in terms of the benefits, goods and services that they can provide.

In concluding the introduction of this fundamental draft resolution, the longest and certainly

the most comprehensive draft resolution adopted each year, I wish to recognize the high level of expertise and professionalism of all delegations, which enabled the outcome before us today. I also wish to thank Mr. Serguei Tarassenko and his team at the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs for their hard work during the process of consultations. Their role was vital for the success of the consultations. We sincerely hope the draft resolution can be adopted by consensus.

On 8 June, as we celebrated World Oceans Day, Secretary-General Ban Ki-moon urged Governments and citizens across the world to acknowledge the enormous value of the world's oceans to mankind. We need to deploy our best cooperative efforts to protect them for future generations.

The President (*spoke in French*): I now give the floor to the representative of the United States of America to introduce the draft resolution contained in document A/65/L.21.

Mr. Nickels (United States of America): My delegation has the honour to co-sponsor the draft resolution entitled "Oceans and the law of the sea", contained in document A/65/L.20. We also have the honour to introduce, on behalf of the sponsors, the draft resolution on sustainable fisheries contained in document A/65/L.21. The oceans, our coasts and the American Great Lakes provide jobs, food, energy resources, ecological services, recreation and tourism opportunities and play critical roles in our nation's transportation, economy and trade areas, as well as in the global mobility of our armed forces and the maintenance of international peace and security.

This year, President Obama issued an executive order establishing a national policy to ensure the protection, maintenance and restoration of the health of our ocean, coastal and Great Lakes ecosystems and resources, enhance the sustainability of ocean and coastal economies, preserve our maritime heritage, support sustainable use and access, and provide for adaptive management to enhance our understanding of and capacity to respond to climate change and ocean acidification; that policy is also to be coordinated with our national security and foreign policy interests.

That order also provides for the development of coastal and marine spatial plans that build upon and improve existing federal, state, tribal, local and regional decision-making and planning processes.

Those regional plans will enable a more integrated, comprehensive, ecosystem-based, flexible and proactive approach in order to plan and manage sustainable multiple uses across sectors and improve conservation of the ocean, our coasts and our Great Lakes. One of the national goals of such planning is to enhance inter-agency, intergovernmental and international communication and collaboration.

The United States believes that this year's draft resolution on oceans and the law of the sea provides a constructive framework for progress in the coming years on a wide spectrum of marine-related issues. The oceans draft resolution incorporates important ideas generated during the 2010 Informal Consultative Process on capacity-building, the 2010 meeting of the Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, and the 2010 meeting of the Ad Hoc Working Group of the Whole on the Regular Process for global reporting and assessment of the state of the marine environment, including socio-economic aspects.

The Informal Consultative Process is a very useful forum for discussing cutting-edge oceans issues, including those related to sustainable development of the oceans and their resources. We are pleased that the mandate of that process was extended for two years and look forward to addressing implementation of the outcomes of the major summits on sustainable development in 2011 and marine renewable energies in 2012.

We thank Ambassador Henrique Valle of Brazil for his coordination of the oceans draft resolution and we thank Director Serguei Tarassenko and the staff of the Division for Ocean Affairs and the Law of the Sea for their expertise and support.

This year's draft resolution on sustainable fisheries again contains important provisions to address critical issues such as combating illegal, unregulated and unreported (IUU) fishing through strengthened control by States operating open registries over all fishing vessels flying their flag; reducing global fishing capacity for tuna; addressing the impacts of climate change on the sustainability of fish stocks; strengthening conservation and management of sharks and the collection of data on species caught as by-catch and implementation of the recommendations from the resumed Review Conference on the 1995 United

Nations Fish Stocks Agreement, among other important matters. The United States is also pleased that the draft resolution contains a renewed emphasis on implementing and enforcing the moratorium on large-scale high-seas drift nets and the critical need for science-based conservation and management measures, including protecting and conserving fish stocks during critical life stages.

Much work remains to be done, if we are to ensure the sustainability of global fish stocks. Regional fisheries management organizations (RFMOs) continue to be the best available mechanism for regulating international fisheries. Nonetheless, there is much room for improvement within those organizations so that we can advance our common goals. To that end, a number of RFMOs that conduct systematic performance reviews are beginning to assess and implement the recommendations from those reviews. Those efforts by RFMOs to improve implementation of their mandates must be recognized and commended. Such reforms must also address how States implement and enforce the rules that they have adopted as members of such organizations and how effectively States carry out their responsibilities as flag States.

I would like to thank all of the delegations for their hard work on the development of the sustainable fisheries draft resolution. This year delegates critically examined the length of the draft resolution and explored avenues for streamlining it. Although it was not possible to restructure the draft resolution this year, delegates recognized the need to modernize the draft resolution in order to optimize its utility and importance and agreed to consider the issue again next year. The United States was once again pleased to provide the coordinator for the informal consultations — Ms. Holly Koehler — who led the negotiations to their satisfactory conclusion. For her work to that end, we greatly thank Ms. Koehler.

I would like to conclude by expressing appreciation for delegations' cooperation in crafting both draft 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.

Mr. Wolfe (Jamaica): I have the honour to speak on agenda item 74 on behalf of the members of the Caribbean Community (CARICOM), namely, 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 welcomes the report of the Secretary-General contained in document A/65/69, as well as the addendums to that report, as we examine the state of the implementation of international legal agreements governing the oceans and seas and the role of the United Nations in assisting States on specific issues relating to that implementation.

We noted with pleasure the observance by the United Nations of World Oceans Day on 8 June and appreciate the work done by the Division for Ocean Affairs and the Law of the Sea in observing that Day and in promoting and facilitating international cooperation on the law of the sea and ocean affairs.

The United Nations Convention on the Law of the Sea, to which all CARICOM member States are States parties, provides the legal framework for all activities relating to our oceans and seas. We look to the Convention for guidance on matters relating to the exploration and exploitation of both the living and the nonliving resources in our maritime zones. Nevertheless, as developing countries, we recognize that we are sometimes unable to realize the full benefits offered by those resources, owing to our limited scientific and technological capacity. Consequently, we welcome the emphasis placed on the issue of capacity-building and the transfer of technology in the Secretary-General's report.

The Convention contemplates cooperation among States, either directly or through, *inter alia*, regional arrangements in the implementation of its provisions, as well as in the conservation, management and sustainable use of the resources of our oceans and seas.

The eleventh meeting of the Informal Consultative Process on Oceans and the Law of the Sea (see A/65/164), which examined issues relating to "capacity-building in ocean affairs and the law of the sea, including marine science", provided a better understanding of resources and the related science.

It is our view that the transfer of technology is also an essential tool for our better understanding of the resources that could assist us in implementing the provisions of Part XIV of the Convention on the Law of the Sea.

CARICOM fully supports the need for increased international cooperation and strengthened capacity-building initiatives aimed at addressing existing gaps in marine science and the transfer of technology at the national and regional levels.

CARICOM agrees with the report of the Secretary-General that there is a need for greater coordination of capacity-building activities to ensure implementation of international rules for marine safety and security, conservation of marine resources, protection of the environment and the conservation and sustainable use of marine biodiversity.

Capacity-building and the transfer of technology are also important, as they relate to implementation of the provisions of article 76 of the Convention. Without the requisite technical assistance, some CARICOM member States would find it difficult to make submissions to the Commission on the Limits of the Continental Shelf in order to establish the outer limits of their continental shelf. Consequently, we applaud the efforts of the Division to mount training workshops involving current and former members of the Commission on the complex scientific and technical issues involved in making submissions to the Commission.

We welcome the strides made by the Commission in discharging its mandate under article 76 and annex II of the Convention, namely, the examination of submissions from coastal States seeking to establish the outer limits of their continental shelf and the formulation of the necessary recommendations to the respective States. We nevertheless remain concerned at the projected workload of the Commission and therefore support the work of the Informal Working Group to devise solutions to address the Commission's workload.

We welcome the increased trust being placed in the Authority by its members, which, through the Council at its last session held in Kingston, decided to request an advisory opinion from the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea on the responsibility and liability of sponsoring States for activities in the international seabed area. That underscores the increased importance of the work of the Authority to all of its members.

Similarly, we commend the work of members of the International Seabed Authority that led to adoption of the regulations on polymetallic sulphides at its last

session. It is our expectation that work will progress towards finalization of the draft regulations on prospecting and exploration for cobalt-rich ferromanganese crusts in the Area at its upcoming seventeenth session in 2011.

As host country of the Authority, Jamaica continues to honour its obligations under the Headquarters Agreement so that the Authority is able to carry out its duties in a manner consistent with the provisions of the Convention.

The resolution of disputes relating to the interpretation and application of the Convention's provisions is indispensable to the maintenance of peaceful relations among States, as it relates to the management and sustainable use of the resources of the respective maritime zones. It is for that reason that CARICOM welcomes the recent referral by States of disputes under the Convention to the International Tribunal for the Law of the Sea.

The economic livelihood of CARICOM States is permanently linked to the surrounding seas. For those of us small and vulnerable island developing States, the Caribbean Sea plays a significant role in our economic activities, particularly with regard to shipping, fisheries, tourism, trade in goods and services and other viable commercial activities at the regional and international levels.

CARICOM member States welcome the recent adoption of the CARICOM resolution entitled "Towards the sustainable development of the Caribbean Sea for present and future generations", which reaffirms the reliance of most Caribbean economies on their coastal and marine environment for sustainable development. We also acknowledge with appreciation the work of the Caribbean Sea Commission in advancing the designation of the Caribbean Sea as a special area within the context of sustainable development, and we invite the international community to continue its support of the Commission.

Efforts to promote maritime trade must therefore include improvements to regulations governing the safety of navigation, the structure of vessels and other pertinent standards in the maritime shipping industry. Ships must also be able to operate under international rules in safe, secure and crime-free environments, and in that regard we recognize the need for additional measures aimed at maintaining international rules and

standards in maritime safety, as well as at combating the growing threats to marine safety.

In that regard, CARICOM welcomes the new international goal-based ship construction standards for bulk carriers and oil tankers and other new standards relating to the safety of ships that were adopted by the Maritime Safety Committee of the International Maritime Organization in May.

We also note the work of the International Atomic Energy Agency (IAEA) aimed at strengthening international cooperation and consultation in nuclear, radiation, transportation and waste safety, particularly in the shipment of radioactive materials. We appreciate the IAEA's delivery of programmes and training activities to raise awareness on issues relating to the transport of dangerous goods.

CARICOM continues to express its concern over the danger posed by the transportation of radioactive wastes and other hazardous materials through the Caribbean Sea, which represents potential risks to lives, health, our environment and economies in the event of accidents during transport.

CARICOM welcomes efforts to improve the standards for the training of seafarers, navigation safety, life at sea and the protection of the environment, through amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers and its Associated Code that were adopted in June under the auspices of the International Maritime Organization. We also welcome the proclamation of 25 June as the Day of the Seafarer.

The United Nations must redouble its efforts to counter threats to marine safety at the national, regional and international levels, including acts of piracy and armed robbery at sea, terrorist acts against shipping and transnational organized crime. The illicit traffic in narcotic drugs and psychotropic substances continues to be conducted mainly by sea. That remains a challenge for many States and regions, including the Latin American and Caribbean region, which have limited resources and institutional and law enforcement capacities to effectively counter those threats. In that regard, we support the work and efforts of the United Nations Office on Drugs and Crime to promote programmes and initiatives for increased regional and international cooperation on that issue and its attendant problems.

In this International Year of Biodiversity, we must renew and strengthen our commitments to significantly conserve marine biodiversity and reduce biodiversity loss, as the current rate of loss represents a serious threat to environmental sustainability and poverty eradication. Our focus on natural resource conservation should also entail increased emphasis on the protection of the marine environment from harmful effects such as oil spills and other forms of pollution at sea.

CARICOM supports the establishment of the Regular Process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, as recommended by the World Summit on Sustainable Development. In that regard, we are encouraged by the cooperation among States and endorse the recommendations made by the Ad Hoc Working Group of the Whole at its meeting in 2009, to develop a strategy and timetable for the production of an integrated assessment of the world's oceans and seas, as well as the recommendations adopted at Working Group's meeting from 30 August to 3 September with regard to further progress on modalities for implementation of the regular process, including institutional arrangements and financing.

We note with appreciation the contributions made by Member States to the voluntary trust fund for the operation of the first five-year cycle of the regular process, as well as for training programmes and support for developing States. We urge further contributions from Member States and other entities to help move the regular process forward, as the assessments are necessary for effective decision-making.

CARICOM highlights the relevance of the United Nations Environment Programme marine and coastal strategy, which was launched in 2009 to promote marine conservation and the productive and sustainable use of the marine environment through regional cooperation and partnerships. The strategy is in line with international efforts to address the growing degradation of marine and coastal environments and the fragile ecosystems that provide much needed services to vulnerable people.

CARICOM fully supports the pilot projects undertaken by the Caribbean Environment Programme for the further implementation of the regional action plan, including a prototype Caribbean regional fund for wastewater management and the hosting of national

pollution prevention seminars on the ratification and implementation of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto.

We embrace the review of the achievement of the Caribbean Environment Programme, which was facilitated through the fourteenth Intergovernmental Meeting on the Action Plan for the Programme and the eleventh Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, held in October in Montego Bay, Jamaica.

Climate change remains a priority issue for CARICOM and other small island developing State, particularly given the growing concerns as to its projected adverse effects on marine biodiversity and the marine environment, including rising seas levels, increasing acidity, loss of marine biodiversity and shifts in the distribution of marine species. Caribbean States are particularly concerned over the increasingly evident damaging impact of climate change to corals and other marine organisms, especially in tropical seas. Within that context, CARICOM encourages increased activities at the national, regional and international levels to mitigate the impacts of climate change, with specific focus on addressing the unsustainable use of natural resources, inadequate watershed management, coastal development practices and poor waste management.

In conclusion, CARICOM wishes to emphasize that, without viable and sustainable oceans and seas, our way of life is lost forever, given the vital role of the oceans and seas in international transport, global trade, sustaining the lives and livelihoods of billions across the globe and supporting essential ecosystems. The United Nations continues to play an important role in the governance of our oceans and seas, and CARICOM, for its part, will continue to extend its full support to the Organization in that important area of activity. The efforts of the United Nations must be complemented with the promotion of the universality of the United Nations Convention on the Law of the Sea, which provides the legal and regulatory framework for all activities in our maritime areas. CARICOM therefore reiterates its call for all those States that have not yet done so to ratify or accede to that important Convention.

Finally, it would be remiss of me not to recognize the President, the Secretary-General of the International Seabed Authority and the President of the International Tribunal for the Law of the Sea.

Mr. Beck (Palau): I have the honour to speak on behalf of the members of the Pacific Islands Forum (PIF) represented at the United Nations.

The members of the Pacific Islands Forum share a strong and unifying interest in the ocean and its resources. We have long recognized the increasing threats to the health of our oceans, and we share the common objective of harnessing the value of the marine resources in our region and ensuring as joint custodians their conservation and sustainable use. For those reasons, members of the Pacific Islands Forum attach great importance to the annual resolutions that the Assembly considers on sustainable fisheries and the oceans and the law of the sea.

One of the key issues for this year's informal consultations on the sustainable fisheries draft resolution (A/65/L.21) was to record the progress made at the resumed Fish Stocks Agreement Review Conference in May. Long-term sustainability of our regional fish resources is a crucial priority for the Pacific Islands Forum membership. Our cultures, our health, our economies, our development — all are dependent on the proper conservation and management of our shared resources. For that reason, Pacific Islands Forum countries were intimately involved in the negotiations leading to the adoption of the Fish Stocks Agreement. We take this opportunity to welcome the recent ratification of the Agreement by Saint Vincent and the Grenadines and encourage others to become party to it.

The Pacific Islands Forum members were also pleased to participate in the 2006 Review Conference and the 2010 resumed Review Conference. We welcome the adoption of the outcome of the resumed Review Conference (A/CONF.210/2010/7, annex, para. 6), which was ably chaired by Ambassador David Bolton of the United States. Parties to the Agreement and non-parties participated in the resumed Review Conference, including in the negotiation of the outcome document, which was ultimately adopted by consensus.

The result of the resumed Review Conference was a fair compromise that garnered consensus approval, not one reflecting only the weakest

formulation, as is often the case with United Nations matters. The recommendations we agreed on are something that we as a body can be proud of. They are a concrete step forward and proof that the United Nations can be trusted to protect our oceans. I should say, however, that we were disappointed that in a number of areas it was not possible to carry the strong language agreed by consensus at the resumed Review Conference into the sustainable fisheries draft resolution.

One such example concerns the conservation and management of sharks. The outcome of the resumed Review Conference, which was adopted by consensus, included language requiring that sharks be landed with their fins naturally attached or by other, equally effective and enforceable, means. This is very important.

All positions were considered during the Review Conference negotiations. Some countries advocated for a complete moratorium on shark-finning, while others, including some non-parties, voiced their reluctance to include language on shark fishing at all. The concerns of fishing nations as well as coastal States were methodically addressed. Distant-water fishing nations showed their flexibility by listening to our viewpoints. The language on sharks adopted at the resumed Review Conference — including on best available scientific information, enforcement and effectiveness — reflects the depth of our productive cooperation at the time. We are therefore concerned that it could not be included in the sustainable fisheries resolution. We were pleased, however, to obtain strengthened language in the resolution on the regulation of the incidental catch of sharks.

We are pleased that this year's fisheries resolution welcomes the recent signatures and ratifications of the Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific Ocean and encourages further signatures and ratifications with a view to the Convention's early entry into force. That Convention, establishing a South Pacific Regional Fisheries Management Organization, builds on the Fish Stocks Agreement and completes the international framework for managing the high seas fishery resources of the South Pacific. We look forward to the early entry into force of the Convention and to working with others in that important new body.

We also welcome the inclusion of several new paragraphs on large-scale pelagic drift-net fishing, aimed at improving implementation of the 1991 global moratorium on using drift nets on the high seas. I was not around for that, but it is said that Pacific Island Forum members were instrumental in paving the way for that critical moratorium, including through the 1989 Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific.

Our group values the primacy of the 1982 United Nations Convention on the Law of the Sea as the constitutional framework for human interaction with the world's oceans and seas. The increasing number of States parties to the Convention illustrates its relevance, maturity and growing universality. In that regard, we welcome Malawi's recent accession to the Convention. We are pleased that this year both Palau and Tonga were able to make initial presentations of their submissions to the Commission on the Limits of the Continental Shelf, as were the Federated States of Micronesia, Papua New Guinea and the Solomon Islands in respect to their joint submission. We also take this opportunity to highlight the importance of the United Nations trust fund for facilitating the preparation of submissions to the Commission.

Pacific Islands Forum countries are aware of the very considerable workload now faced by the Commission and are concerned at the implications for the timely consideration of submissions. It is important that submissions be considered within a time frame that ensures that relevant expertise will still be available to submitting States. We support the continuing work of the Informal Working Group on this issue.

Pacific Island regional waters cover more than 10 per cent of the Earth's surface, and much of that rich marine area falls within the national jurisdiction of small island developing States. Stewardship of this resource is, however, often compromised by geographic isolation, small populations and lack of technical expertise. The various references to capacity-building in these draft resolutions are, therefore, appropriate and reflect the outcomes of the resumed Fish Stocks Review Conference and the Mauritius Strategy Review.

Mr. Carrión-Mena (Ecuador), Vice President, took the Chair.

Improving inter-agency coordination on key issues of interest to small island developing States can help increase access to information and resources. In that regard, we welcome the invitation in the draft resolution on oceans (A/65/L.20) to relevant entities of the United Nations system and interested States to coordinate with regional and national marine scientific and technological centres in SIDS, as appropriate, to ensure more effective achievement of their objectives in accordance with relevant SIDS development programmes and strategies.

We are also pleased that the draft resolution on oceans notes with appreciation the hundreds of millions of dollars in funding recently set aside by the Global Environment Facility for projects related to oceans and marine biodiversity. We are hopeful that that funding will have a catalytic effect on our ability to address the multiple stresses on our oceans and their resources.

We welcome the recognition in the draft resolution on oceans of the Pacific Oceanscape Framework, endorsed by PIF leaders in Vanuatu in August, as an initiative to enhance cooperation between coastal States in the Pacific island region to foster marine conservation and sustainable development.

We continue to support the work and role of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. Next year, the Consultative Process will focus on progress to date and the remaining gaps in the implementation of the outcomes of major summits on sustainable development and on addressing new and emerging challenges. In 2012, the topic will be marine renewable energies. Those are both important topics for the Pacific Islands region. We look forward to twelfth and thirteenth meetings of the Consultative Process being inclusive and cooperative meetings in which all views are considered.

Adequately resourcing the monitoring and assessment of coastal waters in the exclusive economic zones remains a challenge for many small island developing States. Efforts that improve our collective ability to assess, analyse and integrate information on the marine environment at the global level are critical, and they must continue. We hope that the regular process for global reporting and assessment of the state of the marine environment will assist by developing

the first integrated assessment of the world's oceans by 2014.

PIF members look forward to participating in the meeting of the Ad Hoc Working Group on that issue to be held in February 2011. We welcome the request in the draft oceans resolution that the Group of Experts develop a set of options for consideration and adoption by the Working Group in February to ensure that the regular process can achieve the 2014 deadline.

Finally, and in conclusion, we welcome this Assembly's endorsement in the oceans resolution of the outcomes of the February 2010 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. We look forward to the reconvening of that Working Group in 2011, and we trust the meeting will serve as a means for States to pursue further work on a balanced range of issues related to that subject.

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

The Pacific SIDS have an interdependence with the oceans that is deeper than that of perhaps any other countries on the planet, and we take the task of being custodians of the seas seriously. Our oceans are a source of great beauty, pride and potential for us. We depend on the ocean ecosystem for food, on our reefs and biological hot spots for tourism and science, and on sustainable fisheries for our livelihoods.

However, we also know that our oceans and, ultimately, we are at risk. The oceans are subject to overfishing, illegal, unreported and unregulated fishing and other irresponsible fishing practices, such as bottom trawling and shark finning. Choking our shores is a great and growing gyre of indestructible plastic trash. Our coral reefs are increasingly under stress from climate change and ocean acidification, and our very islands and sovereignty are put at risk by rising seas. That is not sustainable, and the world is on a path to mortgaging our future for short-term gains that are too often reaped by others.

Our coral reefs have been among the healthiest in the world, and they support great bounties of fish and marine life. Protecting that biodiversity is a key component of the Mauritius Strategy for the sustainable development of small island developing States and of the Convention on Biological Diversity. We have been glad to see increasing recognition by the General Assembly of the links between healthy ocean ecosystems, particularly coral reefs, and our sustainable development. That is recognized in the draft oceans omnibus resolution (A/65/L.20) and now in the Second Committee's work as well. We look forward to the Secretary-General's report on the importance of protecting coral reefs and related ecosystems for sustainable livelihoods and development as we lead up to the United Nations Conference on Sustainable Development in 2012.

We are also encouraged by the promise of ensuring the long-term conservation and sustainable use of fisheries resources and their associated marine ecosystems by a new regional fisheries management organization (RFMO) for the South Pacific Ocean. For too long, much of the Pacific has gone unregulated and has been a haven for IUU fishing and unsustainable practices. Countries that ratify this new Convention will be promising to take more responsibility for their vessels and to better manage the South Pacific's fisheries resources on the basis of the best scientific information available. Of course, much work needs to be done to get from that promise to its successful implementation. To bridge that gap, we support the call in the sustainable fisheries draft resolution (A/65/L.21) for countries to fully implement the interim measures for pelagic and bottom fisheries to be covered by that RFMO.

We are encouraged by many aspects of the draft resolutions. We are disappointed to see a certain amount of backsliding from important recent commitments made on shark finning and bottom fishing. Parties to the Fish Stocks Agreement, as well as non-parties, participated in the resumed Review Conference in May and negotiated and adopted the outcome by consensus. At the Review Conference, we all agreed that given the declining health of shark stocks worldwide, the conservation and management of sharks should be strengthened by requiring that sharks be landed with their fins naturally attached or through different means that are equally effective and enforceable. But the current fisheries draft resolution

inexplicably does not reflect that agreed language. We call on all countries to respect the agreement that we reached in May to end shark finning.

We are also alarmed that our resolutions on bottom fisheries are not being fully implemented. Studies continue to confirm that bottom trawling has a more negative impact on the sea floor than all other major human activities combined. It took us years of negotiation to finally agree in 2006, and to reaffirm last year, that impact assessments need to be done before any bottom fishing can take place, and if it is found that a significant adverse impact is likely to result, then the fishing cannot be allowed to proceed. It is better to be safe about the marine environment than sorry when it is ruined. That approach is consistent with the United Nations Convention on the Law of the Sea, the precautionary approach and the best available science.

Yet we keep seeing reports of RFMOs and States disregarding the advice of their deep-sea scientists and failing to implement their obligations to conduct impact assessments for all bottom fisheries. We had hoped to be able to claim success and move beyond this issue by now. To the extent that more work still needs to be done, the scheduled review in 2011 of the implementation of our bottom fisheries resolutions will be an opportunity to ask direct questions and expect accountability.

Mr. Portocarero (Belgium) (*spoke in French*): I have the honour to speak on behalf of the European Union. The candidate countries Croatia and the former Yugoslav Republic of Macedonia; the countries of the Stabilization and Association Process and potential candidates Albania, Montenegro and Serbia; as well as the Republic of Moldova, Ukraine and Georgia align themselves with this declaration.

The annual resolution on oceans and the law of the sea is one of the longest and most complex of the General Assembly. The European Union welcomes the fact that the draft resolution (A/65/L.20) reflects both conventional law of the sea and highly relevant issues regarding the marine environment, marine biodiversity and numerous sustainable development issues. It is precisely on those subjects that political debate is the liveliest and that consensus must be reached in order to safeguard approaches that have the same universal nature as the United Nations Convention on the Law of the Sea of 1982.

The Convention and the principles that it established remain today the very framework for our discussions and the touchstone of any future legal regime outside national jurisdictions. The European Union and the nations that associate themselves with this statement therefore reiterate their strong support for the Convention as the best instrument for advancing peace, stability and sustainable economic and social development in all matters concerning the use of seas and oceans. The integrity of the Convention must be respected by all.

The European Union also appeals to all States that have not yet done so to accede to the Convention and the Agreement relating to the implementation of Part XI. At the same time, we reaffirm our dedication to the principles of free navigation, the right of peaceful passage and the right of transit, in accordance with the principles of the Convention. Those freedoms must be respected. Moreover, while the European Union fully supports efforts towards regional cooperation among coastal States, particularly those seeking to ensure the sustainable use and improved governance of oceans, it also emphasizes that such cooperation must be undertaken in full respect for the principles set down in the Convention.

Acts of piracy, in particular along the coast of Somalia, remain a subject of great concern for the European Union and the entire international community. Although there has been a decline in the number of attacks involving the capture of ships and hostages, the overall number of incidents is not diminishing, or in any case not sufficiently. The international community must therefore maintain its efforts to combat this scourge, which affects the most fundamental right of the high seas: the freedom of navigation. The human and social element, in particular the protection of crews, must be more clearly recognized. The European Union therefore supports initiatives to arrest and try pirates in national courts, while respecting the very general framework laid down by the Convention in this matter. The European Union took special note of Security Council resolution 1950 (2010) of 23 November, which refers to the investigation of crimes, the pursuit and detention of suspects, and the need to address underlying causes.

Among the bodies created by the Convention, the Commission on the Limits of the Continental Shelf has taken on increasing importance. We are concerned about the slow progress in considering requests. The

Commission must speed up its work. Its methods of work are now being studied by an ad hoc group, whose findings we do not wish to prejudge. However, we acknowledge the role of the Division for Ocean Affairs and the Law of the Sea as secretariat for the Commission. The Division has done outstanding work in this area within the strict budgetary limits that we are obliged to impose on it because of national and regional financial restrictions. We will help the Secretariat to find ways to compromise while holding to our principles about budgetary implications.

Regarding the substantive work of the Commission, we recall that, under article 76.8, only the limits set by a coastal State on the basis of the recommendations of the Commission are final and binding. The European Union strongly encourages coastal States that have received recommendations in accordance with article 76.8 to set the limits of their continental shelves as soon as possible.

Among the most innovative subjects addressed by the draft resolution, the safeguarding of marine biodiversity is of the highest priority for us. We emphasize our wish for the soonest possible establishment of protective zones, without, however, endangering the legal regimes set up in the Convention. We welcome the implementation in 2011 of the regular process for global assessment of the state of the marine environment, including socio-economic elements.

Moreover, we emphasize the importance we place on the progress 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, in the realms both of genetic resources and of methodologies and criteria for selecting protected areas.

Finally, we attach great significance to the results of the Conference of the Parties to the Convention on Biological Diversity held in Nagoya in October. We believe that the Conference is a full-fledged intergovernmental process and that its conclusions must be respected in our work in the General Assembly.

The European Union and the States that associate themselves with this statement highly value the proper functioning of the executive bodies created by the Convention, namely, the International Tribunal of the Law of the Sea and the International Seabed Authority.

In this regard, 2010 will be an especially important year because we have witnessed increased activity by the Tribunal and the first instance of substantive interaction between the Tribunal and the Authority through a request for an advisory opinion. That is an indication of the maturity of the two institutions, which we welcome.

The European Union considers the annual draft resolution on sustainable fisheries (A/65/L.21) to be the instrument of choice in bringing to the attention of the General Assembly the most urgent and timely issues affecting global fisheries. The European Union notes that there is a new demand for seafood products drawn from marine species occupying low trophic levels, particularly small pelagic species and krill, not only for human consumption but also for other uses, such as feed for farmed fish and other commercial uses, and that this demand is growing. Moreover, small pelagic fish make up the principal fish protein source for a substantial part of the world population, especially in certain developing countries. The European Union is therefore concerned that increasing demand affects the long-term viability of some reserves, with potentially disastrous consequences for food security and ecosystems in certain parts of the world.

The European Union therefore welcomes the fact that this year's draft resolution recognizes the need to improve scientific knowledge of the environmental and socio-economic impacts of these fisheries and their effect on markets. We believe that the proper management of these fisheries by States and by regional fisheries management organizations and arrangements, aiming to ensure long-term viability, depends on improving our scientific knowledge base. Moreover, the European Union is pleased to note that, in the course of the International Year of Biodiversity, equal attention has been given to the implementation of an ecosystem approach to the protection of habitats, including spawning and hatching zones, and to the effect on fish of underwater noise.

While aware of the difficulties described by certain States in complying with 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, the European Union reaffirms its commitment to the goal of universal accession to

the Agreement. In fact, the European Union considers it to be the key instrument for the sustainable and equitable management of straddling and highly migratory fish stocks. The European Union and its member States parties to the Agreement fully support the recommendations of the resumed Review Conference on the Agreement, which, in our opinion, will strengthen the implementation of the agreement.

My delegation is disappointed to note that the resumed Review Conference on the Agreement and its recommendations are still in dispute and that it has not been possible to reach consensus. We therefore reiterate our encouragement to States to implement, as quickly as possible, either directly or through regional fisheries management organizations and arrangements, the recommendations of the Conference to improve the conservation and management of straddling fish stocks and highly migratory fish stocks.

The European Union and the States associating themselves with this statement remain concerned by the high level of illegal, unreported and unregulated fishing and by its damaging effects, both on the sustainability of fish stocks and on those fishermen who respect the rules. Therefore, we welcomed with great satisfaction the adoption in 2009, within the framework of the Food and Agriculture Organization of the United Nations, the Agreement on Port State Measures. We consider it to be a useful tool in the toolbox of States and regional fisheries management organizations and arrangements to prevent, deter and eliminate this practice. It is our hope that the Agreement will enter into force as soon as possible.

In the meantime, we hope that its adoption will pave the way for the provisional implementation of the Agreement by the parties, either directly or through regional fisheries management organizations and arrangements, with a view to achieving the desired benefits as quickly as possible. In that regard, the European Union wishes to express its disappointment that encouragement for the provisional implementation of the present Agreement was not maintained in the final text of the draft resolution.

The European Union and its member States remain fully committed to the protection of vulnerable marine ecosystems and deep sea fish stocks, and therefore to the implementation of measures designed to protect them, as established in resolutions 61/105 and 64/72. The European Union sees the consideration

of these measures and their implementation next year as a critical step in which it intends to participate fully.

Mr. Shapoval (Ukraine): Let me begin by expressing our appreciation to the Secretary-General for his helpful reports on the subject of our discussion today and to the coordinators of the draft resolutions on oceans and the law of the sea (A/65/L.20) and sustainable fisheries (A/65/L.21), respectively, as well as to the Secretariat, in particular the Division for Ocean Affairs and the Law of the Sea, for its competent assistance to Member States in their deliberations on various aspects of the agenda item throughout the year. In fully aligning itself with the statement just made by the European Union, my delegation would like to share its views on some relevant issues in its national capacity.

Ukraine reaffirms its commitment to due implementation of and strict compliance with the 1982 United Nations Convention on the Law of the Sea, which sets out the international legal regime applicable to all kinds of activities at sea. Needless to say, piracy and armed robbery at sea have become high-priority issues on the global maritime agenda today.

We continue to believe that compliance with International Maritime Organization (IMO) guidance, first and foremost through best management practices, is a crucial factor in safeguarding international navigation. The primary responsibility for ensuring the security of international maritime trade lies with ship-owning companies and flag States. Therefore, these players should further increase their cooperation in cases where seafarers fall prey to pirates.

Ukraine welcomes the ongoing discussions on seafarers' welfare, primarily in the framework of the IMO, and concurs with the concerns expressed by the Secretary-General in his latest report on the situation of piracy off the coast of Somalia, in which he states that,

“In many cases, the victims' whereabouts are not known, and no independent entity is able to verify their state of health and well-being” (S/2010/556, para. 87).

In this regard, Ukraine will further actively participate in discussions on how to identify solutions for seafarers who are victims of pirates, as provided for in the draft resolution before us today. Let me once again emphasize the importance of keeping the issue of

seafarers and fishermen who are victims of pirates high on the agenda of the General Assembly and other principal bodies of the United Nations.

It is remarkable that the Security Council, in its latest resolution 1950 (2010) on piracy off the coast of Somalia, has also recognized the importance of considering possible methods to assist seafarers who are victims of pirates and welcomes the ongoing work within the Contact Group on Piracy off the Coast of Somalia and the International Maritime Organization on developing guidelines for the care of seafarers and other persons who have been subjected to acts of piracy.

Let me now turn to the jurisdictional aspect of the problem of maritime piracy. The international community apparently has reached the understanding that successfully fighting impunity for piracy lies in the implementation and application of the existing international legal regime applicable to combating piracy. Thus, in accordance with international law, States are obligated to cooperate to the fullest possible extent in the repression of piracy.

However, a significant gap has been identified in efforts to bring to justice those who are involved in piracy. In this regard, Ukraine encourages States to further consider possible ways of ensuring the effective application and implementation of the international legal regime, especially with a view to bringing to justice those responsible for acts of piracy, including anyone who incites or facilitates such acts. We are pleased with the support expressed by delegations during the informal consultations of the General Assembly for the initiative of my country to ensure due implementation of international law applicable to combating piracy and bringing pirates and their sponsors to justice.

With this in mind, I very much look forward to taking practical steps towards achieving this goal.

Mr. Salem (Egypt): At the outset, the delegation of Egypt expresses its appreciation to the Secretary-General and the Division for Ocean Affairs and the Law of the Sea for their preparation of the reports related to the status of oceans, seas and fisheries. Egypt further expresses its appreciation to the coordinators of the draft resolutions on oceans and the law of the sea (A/65/L.20) and sustainable fisheries (A/65/L.21) for their efforts to reach an agreement on the two drafts.

Despite the extensive efforts of the United Nations to address the challenges we face in terms of the state of the oceans and seas, considerable challenges still threaten the sustainable development of those oceans and their resources. Human activities are taking a continued toll on the viability of vulnerable marine ecosystems, such as coral reefs, and important fisheries are being threatened by over-exploitation, illegal, unreported and unregulated fishing, and destructive fishing practices.

Furthermore, marine pollution remains a major concern. The explosion and sinking of an offshore drilling unit of British Petroleum in the Gulf of Mexico in April has shown that the marine environment is highly vulnerable to pollution resulting from accidents linked to activities at sea.

In the same vein, Egypt also emphasizes the need to further enhance efforts and programmes aimed at tackling the threats caused by increased sea temperatures, sea-level rise and ocean acidification resulting from climate change, which pose further threats to marine life, coastal and island communities and national economies. At the core of these efforts lies the need to build the capacity of States to adhere to, implement and enforce relevant international instruments.

Furthermore, the delegation of Egypt emphasizes the importance of efforts exerted at the international level to strengthen and develop the field of marine scientific research, particularly in the context of the International Seabed Authority, and in the study of the effects of mining activities on the marine environment at sea bottom.

Turning to the safety and security of navigation, Egypt expresses its concern at the continuing adverse effects that incidents of piracy and armed robbery against ships off the coast of Somalia pose to the lives of seafarers and the safety of international shipping, causing considerable economic damage through higher transportation costs, including insurance costs. In this regard, reaching a lasting, comprehensive settlement of the situation in Somalia is closely linked to the spread of the phenomenon of piracy in that region, and we call for more attention to be given by the international community as a whole to this issue.

In recognition of this fact, Egypt is sponsoring efforts to help achieve a solution through the political process in Somalia and supports it by participating

actively in international efforts to combat maritime piracy, particularly within the framework of the Contact Group on Piracy off the Coast of Somalia, with a view to reaching a comprehensive solution to those problems.

Moreover, we express our deep concern over the illegal and unjustified attacks by the Israeli military forces in international waters against the humanitarian flotilla carrying humanitarian assistance to the Palestinian people in Gaza. Egypt condemns those acts, which constitute a clear violation of the rules governing the safety and security of navigation, as identified in international law and international humanitarian law.

As for sustainable fisheries, Egypt emphasizes the need to exert more efforts to protect endangered fish species, fight illegal, unreported and unregulated fishing, and refrain from destructive fishing practices of the seabed. In this regard, we have monitored the measures taken by the regional fishery management organizations to protect the ecosystems on the seabed in order to implement resolution 61/105. Nevertheless, the inadequacy of these measures to ensure the sustainable use of marine resources and their habitats, including vulnerable marine ecosystems, are noted and we look forward to the enhanced cooperation of States with the Food and Agriculture Organization of the United Nations and regional fisheries management organizations to achieve an effective system for the management of seabed fishing in a manner that ensures the preservation of marine ecosystems.

Furthermore, Egypt took note of the report of the resumed Review Conference on the 1995 Fisheries Agreement, held in New York in May, which reaffirmed the recommendations adopted by the Conference in 2006 and proposed additional means of strengthening the substance and methods of implementation of the provisions of the Agreement. In this regard, Egypt reaffirms that States parties to the Agreement should review its provisions to take into consideration the reservations made by non-parties, especially developing countries, including those provisions relating to the boarding and searching of fishing vessels, so as to enable the latter group of countries to become parties and to enhance cooperation in order to protect sustainable fisheries and enhance their development.

In conclusion, preserving the oceans from the impacts of climate change, supporting essential ecosystems and providing sustainable livelihoods and safe transport are essential to the long-term prosperity of humankind. Egypt ensures its full cooperation with the international community in exerting all the efforts necessary to achieve the aforementioned goals and advance human well-being.

Mr. Erwin (Indonesia): Allow me at the outset to welcome the continued discussion of this important agenda item, which covers multifaceted, complex issues that are of great interest to Indonesia. I thank the Secretary-General for his report (A/65/69), which provides a comprehensive reference to various issues relating to oceans and the law of the sea. It also describes the achievements of Member States and their efforts to advance and strengthen the goal of the United Nations Convention on the Law of the Sea at the national and international levels. 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 at this session.

Indonesia notes that a wide range of actions have been taken at the global, regional and national levels to address the issues of maritime security, including piracy and armed robbery at sea. In our region, we are always of the firm view that our long-term overall effort to address armed robbery and piracy through cooperative mechanisms in the Straits of Malacca and Singapore remains one of the best practices and applicable mechanisms on combating piracy and armed robbery at sea.

With regard to the continued prevalence of piracy off the coast of Somalia, Indonesia notes the various efforts that have been made to address this problem at the global and regional levels, including the adoption of several resolutions by the Security Council. It is widely understood that those resolutions apply only to the situation in Somalia and do not affect rights, obligations or responsibilities under international law, including any rights or obligations of States under the Convention, and are not to be considered as establishing customary international law.

However, it is also important to underline that Member States should continue their support for the primary role of the Transitional Federal Government of Somalia in combating piracy and armed robbery

against ships. It is therefore important to redouble our efforts to find a comprehensive and sustainable settlement of the situation in Somalia by addressing the root causes of piracy.

On how to bring to justice those involved in acts of piracy, I would like to commend the report of the Secretary-General (S/2010/394), which identifies seven mechanisms for prosecuting persons suspected of piracy and armed robbery at sea off the coast of Somalia.

This year has been filled with activities relating to the law of the sea. With respect to the activities of the International Seabed Authority, we are impressed by its adoption of draft regulations on prospecting and exploration for polymetallic sulphides in the Area. The adoption is the achievement of the tireless discussions on the issue in various meetings over the past six years. We believe that adoption of the draft regulations should also serve as an important reference for Member States in discussing the draft regulations on cobalt-rich ferromanganese crusts in the Area.

The United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, the eleventh meeting of which took place last spring, has discussed the important issue of capacity-building. Indonesia is of the view that this issue is essential to ensuring that developing countries fully implement the Convention and benefit from the sustainable development of ocean affairs and the law of the sea, including marine science, through the transfer of technology. Therefore, Indonesia supports the consideration of a proper multilateral mechanism to provide integrated data between donor countries and beneficiary countries. In this regard, we call upon respective United Nations bodies to play their important role in providing such data in accordance with the needs of Member States.

With regard to the issue of marine biodiversity in areas beyond national jurisdiction, I wish to take this opportunity to underline our unwavering commitment to the customary principle of the common heritage of humankind. As codified in the 1982 United Nations Convention on the Law of the Sea, this is the proper legal regime applicable to marine biological diversity in areas of the seabed, the ocean floor and the subsoil beyond the limits of national jurisdiction. We believe that this is the most relevant principle for addressing the question of the legal regime, which is still

outstanding. In this regard, we are of the view that it should be addressed in the context of the mandate of the working group established by resolution 59/24.

Indonesia attaches great importance to the workload of the Commission on the Limits of the Continental Shelf. At the last meeting of the States Parties to Convention on the Law of the Sea, it was reported that various proposals had been carefully identified to enable the Commission to cope with the considerable number of submissions it has received. Indonesia realizes that the financial implications are of particular concern in relation to every proposed measure discussed. Due to the importance of consideration of the submissions, we share the views that there are some proposals that merit our future consideration to expedite submissions in a timely manner. Indonesia believes that we must take advantage of all opportunities to facilitate and accelerate the work of the Commission.

Turning to the issue of fisheries, we continue to be very concerned about illegal, unreported and unregulated (IUU) fishing activities that threaten the sustainability of fish stock resources. Indonesia is of the view that IUU fishing is a global problem that undercuts responsible fishing activities. In light of this, Indonesia is a signatory State to the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing and is now preparing to ratify the agreement.

Let me conclude by expressing our thanks to the coordinators of the draft resolutions on the law of the sea (A/65/L.20) and sustainable fisheries (A/65/L.21), Ambassador Henrique Rodrigues Valle of Brazil and Ms. Holly Koehler of the United States, for their able leadership and excellent contribution to the work on the two draft resolutions before us today.

Mr. Kodama (Japan): Let me first join other representatives in expressing gratitude to the coordinators of the two draft resolutions (A/65/L.20 and A/65/L.21), Ambassador Henrique Rodrigues Valle of Brazil and Ms. Holly Koehler of the United States, for their tremendous work. I also wish to thank all Member States that worked together in a spirit of cooperation during informal consultations on the draft resolutions. My appreciation also goes to the Secretariat for its assistance. Japan is pleased to co-sponsor draft resolution A/65/L.20 on oceans and the law of the sea.

Japan is a maritime State surrounded by sea and dependent on maritime transport for nearly all imports of energy resources, including oil and minerals. As an island country with few natural resources, Japan considers marine living resources and other natural resources lying on the continental shelves, as well as on the deep sea-bed under its surrounding waters, to be crucial from an economic perspective. Consequently, we have a strong interest in these agenda items and have been taking active part in the discussions on the draft resolutions.

It is a matter of continuing concern for Japan that piracy off the coast of Somalia and in the Gulf of Aden is now expanding to areas along the eastern African coast and in the Indian Ocean. Japan takes the view that a multifaceted approach, which includes assistance for maritime enforcement capacity-building and other medium-to-long-term efforts, in addition to operations by naval vessels, must be pursued in order to suppress piracy.

Japan has dispatched two destroyers and two P-3C patrol aircraft to monitor the Gulf of Aden and the area off the coast of Somalia. Moreover, in June 2009, Japan enacted the Anti-Piracy Measures Law to ensure domestic implementation of the provisions on piracy stipulated in the United Nations Convention on the Law of the Sea (UNCLOS).

As part of its efforts to assist the maritime enforcement capacity development of coastal countries, Japan has contributed \$13.6 million to the International Maritime Organization Djibouti Code Trust Fund, a multi-donor trust fund initiated by Japan. In addition, Japan has disbursed \$500,000 to the International Trust Fund to Support Initiatives of States Countering Piracy. It is also my great pleasure to announce that additional contributions of \$1 million to each of these Trust Funds were approved recently by the National Diet of Japan. Japan also continues to play a leading role through its cooperation in the efforts based on the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia.

Regarding the activities of the Commission on the Limits of the Continental Shelf, Japan fully recognizes the need to improve the situation with regard to the workload of the Commission, given the large number of submissions made by coastal States. As announced at the 20th Meeting of States Parties to UNCLOS held in June, Japan this year contributed

approximately \$280,000 to the Trust Fund for the purpose of defraying the costs of participation in the meetings of the Commission for members from developing States. Japan, as a State party to the Convention, will cooperate and work together with other States parties in the process of the informal working group on addressing the workload issue of the Commission by participating actively in the efforts to find practical and effective solutions to the issue.

As regards the work of the International Tribunal for the Law of the Sea, Japan highly appreciates the important role played by the Tribunal in the peaceful settlement of disputes and in the maintenance and development of the rule of the law of the sea. The increasing number of applications instituting proceedings before the Tribunal, in particular in the course of the last year, attests to the fact that the role and authority of Tribunal is widely recognized by the international community. Japan welcomes the expansion of the Tribunal's activities and is determined to contribute to its valuable work, under the leadership of President Jesus, by providing full support in that regard.

Turning to the conservation of marine biodiversity beyond areas of national jurisdiction, the promotion of global conservation of biodiversity is becoming increasingly more important. In this context, Japan recognizes the role of the General Assembly in facilitating the protection of marine biodiversity beyond national jurisdiction and will continue to participate in a constructive way in the work of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond national jurisdiction, taking duly into account the decisions adopted at the 10th meeting of the Conference of the Parties to the Convention on Biological Diversity held in Nagoya, Aichi, Japan in October.

As a responsible fishing State, a State party to UNCLOS and the United Nations Fish Stocks Agreement, Japan is dedicated to addressing the promotion of sustainable use through the conservation and management of living marine resources and the appropriate conservation of the marine ecosystem, in cooperation with the parties concerned, through bilateral fisheries agreements and organizations such as the Food and Agricultural Organization of the United Nations (FAO) and regional fisheries management organization.

The problems of illegal, unreported and unregulated fishing activities and overcapacity are so serious for sustainable use of living marine resources that it is urgent to address these problems on a global scale. Regarding the discussions at the FAO on the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, Japan would like to express its appreciation to the FAO and relevant States for their efforts that brought about the adoption of the draft agreement by the Conference of the FAO after a year of negotiation. The Review Conference on the 1995 United Nations Fish Stocks Agreement took place in May, and a recommendation was adopted. Japan will continue to work to strengthen the Agreement's effectiveness by implementing the recommendation in cooperation with other contracting parties.

Before concluding, Japan expresses the wish that the draft resolutions before us, the result of intensive negotiations among Member States conducted in a spirit of cooperation during informal consultations, will be duly adopted at this session of the General Assembly.

Mr. Delgado Sánchez (Cuba) (*spoke in Spanish*): Cuba attaches vital importance to the United Nations Convention on the Law of the Sea for the maintenance and strengthening of the peace, management and sustainable development of our oceans and seas. The Convention is a fundamental milestone in the codification of international maritime law and has been ratified by the overwhelming majority of Member States. It sets forth an appropriate and universally recognized legal framework within which all activities relating to the seas and oceans must be conducted.

Cuba believes that ocean affairs and the law of the sea should come under the supervision of the General Assembly in order to ensure greater coherence in the conduct of such affairs for the benefit of all Member States. In the process, we should emphasize the important and continuing assisting role played by the Division for Ocean Affairs and the Law of the Sea.

Given the fact that Cuba is an island and situated in the delicate ecosystem of the Caribbean Sea, we have a special interest in questions concerning the seas and oceans. Our country has made and continues to make great efforts to implement national strategies for the sustainable development and protection of the marine environment in order to achieve coherent,

progressive and effective implementation of the Convention's provisions.

The State of Cuba has strong institutions and legislation to address maritime crime, particularly the illegal narcotic and psychotropic drugs trade, illegal human trafficking, and piracy. We are also working intensively to continue strengthening bilateral and regional cooperation under the principles of international law, safeguarding due respect for the sovereign jurisdiction of States over their territorial seas, and managing resources in the exclusive economic zone.

Cuba reiterates the importance of strengthening international cooperation in the management of marine resources and the care of oceans and their biodiversity. In this regard, we stress the necessity of increasing technical and financial aid to developing countries. We urge an expanded exchange of scientific and technical knowledge, as well as the free transfer of sustainable and clean technologies to developing countries.

It is important to preserve the integrity of the Convention on the Law of the Sea and to ensure that its provisions are implemented as a whole. It is essential that we continue to work to ensure that all States can benefit from the resources of the Zone, including its biodiversity and the genetic resources it contains. It is our responsibility to work to realize the principle that such resources are the common heritage of humankind, as the Convention clearly sets forth. We must not permit those resources to be patented by transnational companies. We must also continue to work to ensure that States may exercise full sovereignty over resources located in their exclusive economic zone and continental shelf. The right of passage must be respected, as must the duty of countries that border straits to enact laws and regulations regarding the right of passage through those straits.

Problems of maritime crime must be addressed on a case-by-case basis and require holistic solutions within the framework of international law and strict respect for national jurisdictions. We are concerned about policies and initiatives that undermine the Convention's regulatory system, such as the management of new sustainable uses of the oceans, including the conservation and management of the biodiversity of seabeds located beyond national jurisdiction. In this regard, States should observe the principles established in the Convention whereby

marine scientific investigation in the exclusive economic zone should be conducted exclusively for peaceful purposes and the benefit of humankind as a whole.

The interconnectedness of ocean systems and their close link to the tragic process of climate change afflicting humankind oblige us to honour urgently the commitments made in both areas. The ongoing rise in sea levels threatens the territorial integrity of many countries, particularly small island States, some of which are destined to disappear if immediate measures are not taken. Developed countries must comply with their financial obligations and aid commitments, and in particular reduce activities and practices that have affected and continue to affect the world's delicate ecological balance.

In 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, although not a party to the Agreement, willingly abides by its provisions for conservation and management. The chief reason preventing Cuba from becoming a party to the Agreement is our concern regarding the mechanism for on-board visits and inspections of fishing vessels set out in its articles 21 and 22.

I cannot conclude without expressing my gratitude to the work of the coordinators of the two draft resolutions (A/65/L.20 and A/65/L.21) on this subject, whose adoption Cuba will support.

Ms. Flores (Honduras) (*spoke in Spanish*): The heritage of the oceans and seas of our planet is a vital asset of our peoples and an invaluable legacy for future generations. Its abundance of natural blessings, unknown and unexplored, is the most promising resource we have for safeguarding human life; hence, the importance of this discussion.

We are grateful to the Secretary-General for his report to Member States, which is in clear harmony with the United Nations Convention on the Law of the Sea. The report concludes:

“Concerted efforts by all relevant stakeholders are, therefore, required to ensure that capacity-building activities/initiatives are sustainable and target priorities adopted at the

national and international levels. A comprehensive assessment of the existing capacities and needs of States in ocean affairs and the law of the sea ... would be an essential starting point” (A/65/69, para. 325).

That is driving our discussion today.

We have made much progress in the processes of regulating navigation, delimiting maritime areas, finding ways to resolve disputes and exploiting the riches we find in the oceans' depths. However, we continue to face challenges, and it sometimes seems that we have backtracked on the dream of establishing a law of the sea that is more concrete, in line with our needs and in full harmony with nature.

Actions that affect marine biodiversity, unrelenting climate change and the conspiracy against the natural balance are leading nature to rebel against humankind. The vast depths of the sea, with their enormous reserve of energy, rise up in revolt, producing scenes of destruction and desolation. Be it in the form of tsunamis or of hurricanes, the oceans are exacting savage revenge. Whether they migrate abnormally or disappear, marine species are vital to the natural balance and essential for the survival of humankind. Recently, Honduras signed an agreement with Palau on the protection of sharks as the first step towards putting an end to fishing for this species in its national waters.

We invite the agencies of the United Nations system that work directly in this area to act in a coordinated, coherent and systematic fashion to bring about the protection, sustainability and development of the world's oceans and seas. We call for the full implementation of the Convention on Biological Diversity. We urge the Intergovernmental Oceanographic Commission of UNESCO and the United Nations Environment Programme's World Conservation Monitoring Centre to redouble their efforts to those ends. We also recognize the role of the Division for Ocean Affairs and the Law of the Sea.

We believe that it is not enough to adopt conventions and agreements delimiting for exclusive use what can be deemed the national heritage of each State. We have to look at the issue in a holistic fashion and address the challenges consciously and responsibly. The world's oceans and seas constitute the crucial piece of the puzzle in the planet's natural architecture. It is our responsibility to preserve them,

care for their biodiversity and ensure the sustainability of marine species so that future generations can enjoy health and rationally use these resources in a balanced fashion.

I would like to recall here the words of the late Spanish jurist and teacher Luis Ignacio Sánchez who, commenting on the development of our foreign policy, suggested that a country could only have an authentic territorial and maritime policy when it had achieved critical mass vis-à-vis citizens thinking, planning and proposing decisions of national interest. Following the necessary debate and the achievement of political consensus, a State policy must be adopted that is compatible, in terms of State action, with the policies of neighbouring States. Potential doubts or discrepancies would then be resolved through the peaceful procedures means provided for under law.

Honduras has always been essentially a peaceful country that observes international law. My country recognizes the invaluable and important work of the International Court of Justice, the International Tribunal for the Law of the Sea and the International Seabed Authority, headquartered in Kingston, Jamaica.

We have made swift progress on some aspects of the complex range of problems pertaining to the law of the sea. However, much remains to be done to ensure that deep-sea fisheries are managed in an efficient and sound manner, that there is full conservation of marine biological diversity and that harmful pollution of the oceans is halted.

Special reference must be made to criminal activities on the high seas, in particular piracy. Nothing today can justify this scourge, which is a clear step backwards for the freedom of navigation on the high seas. However, we do need to think about the nature of this phenomenon and the reasons for it, which may perhaps have to do with serious economic crises in coastal States that lead people to seek ways to meet their basic needs. It is therefore even more urgent to make progress on the Millennium Development Goals to give such people have the necessary inputs to eschew such reprehensible practices on the high seas.

Lastly, the sea is an asset. It is a source of life and of material goods, an abundant farm of the fertile riches produced from its depths. It sustains those who cultivate its bountiful harvest. It is a source of income for those who depend on its generous waters. It is an inspiring landscape that attracts tourists and serves as a

destination for exploration and adventure. In addition, however, together with other assets of our planet Earth, the sea is what makes our planet unique in an infinite universe.

Mr. Cabactulan (Philippines): I am very pleased and honoured to address the General Assembly on a matter of the utmost importance for the Philippines, and indeed for the entire global community.

The world's oceans and bodies of water are integral to our lives and to our planet. We draw food and derive livelihoods from those sources of valuable resources. We depend on waterways to connect our nations and keep global trade and commerce robust. And we discover many things from our oceans that lead us to innovate and improve the lives of millions around the world.

More recently, we have begun to better appreciate the importance that oceans have in global material and energy cycles. We are also increasing our understanding of the critical role oceans play in atmospheric gas and climate regulation and in cycling water, nutrients and waste. All these aspects underscore the continuing importance of our efforts to ensure that the oceans and their resources are managed and sustained for the benefit of all humankind.

It is within this framework and understanding of the common heritage of oceans that the Philippines has become a sponsor of draft resolution A/65/L.20, entitled "Oceans and the Law of the Sea".

The Philippines takes note of the reports of the Secretary General on this issue (A/65/69, A/65/69/Add.1 and A/65/69/Add.2). We also welcome, and are greatly encouraged by, the importance that the General Assembly continues to attach to the issue of oceans and the law of the sea. This session's draft resolutions on oceans and the law of the sea and on sustainable fisheries are further testaments to the continued interest of Member States in oceans and their resources.

The Convention on the Law of the Sea has been heralded as the constitution of oceans in that it establishes a comprehensive legal framework governing all aspects of ocean use and development. The Philippines recognizes the strategic importance of the Convention as the basis for national, regional and global action.

As an archipelago and a maritime nation that relies on oceans for its continued development, the Philippines attaches the utmost importance to a just and equitable international legal and economic order governing the ocean space. Such an international order clearly outlines both the rights and responsibilities of nations while considering the collective interests of the entire global community. Adherence to that international order is key to allowing all of the world's stakeholders to maximize the utilization of the oceans' potential while preventing and minimizing problems and tensions between nations.

The Philippines notes the continuing development of international law as it relates to ocean use and jurisdiction through the decisions of the International Tribunal on the Law of the Sea. In that regard, we acknowledge the recent referral to the Tribunal of a case concerning the delimitation of a maritime boundary and the decision of the Council of the International Seabed Authority to request an advisory opinion on the responsibilities and obligations of States with respect to sponsorship activities in the Area.

This year, the Philippines actively participated in the twentieth Meeting of States Parties to the Convention and in the eleventh meeting of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea. The progress achieved in these meetings leads us to believe that States parties are ready to assume a new, and perhaps more challenging, role in the common interpretation and universal application of the Law of the Sea Convention. The Philippines looks forward to the twelfth meeting of the Informal Consultative Process, as well as to participating in the discussions on contributing to the assessment of progress to date and remaining gaps in the implementation of the outcomes of the major summits in the area of sustainable development.

While we see positive steps towards forging greater cooperation among stakeholders, there remains a wide range of outstanding problems that need to be addressed. We note that the workload of the Commission on the Limits of the Continental Shelf has substantially increased due to the large number of submissions. The current situation does not serve the timely, effective and efficient implementation of the international legal regime established by the Convention. In the long term, without financial support, the most important suggestions made by the

informal working group regarding the workload of the Commission cannot be implemented.

Maritime piracy continues to be a menace. We cannot ignore the impact of piracy on international trade and commerce. Along with losses and the disruption of the smooth flow of goods and services, we must never forget the needless and very costly loss of irreplaceable human lives due to maritime piracy. The Security Council, the General Assembly and Contact Group on Piracy off the Coast of Somalia have all underscored the need to improve the capacity of States to counter this persistent scourge.

We acknowledge that States and intergovernmental organizations have undertaken capacity-building activities at the global and regional levels, as well as through bilateral cooperation. The Philippines encourages States to ensure the effective implementation of international law applicable to combating piracy. We call upon States to take steps under their respective national laws to facilitate the apprehension and prosecution of those alleged to have committed acts of piracy.

With respect to the protection of the marine environment and marine genetic resources in areas beyond national jurisdiction, the Philippines notes that most of the pollution load of oceans emanates from land-based activities and affects the most productive areas of the marine environment. We call upon States to implement the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, and to fulfil commitments embodied in the Beijing Declaration on furthering the implementation of that Programme. We recognize the value of marine genetic resources in terms of the benefits, goods and services they can provide. We call on States to continue to support, promote and strengthen marine scientific research capacity-building activities, particularly in developing countries.

While we understand that we continue to face many challenges today on issues relating to oceans, we must never let those concerns lessen our commitment to work together under a just and equitable maritime legal order. Our common interests make that commitment imperative.

Mr. Wetland (Norway): Peaceful and sustainable uses of the oceans through the implementation of the law of the sea remain key priorities for the Norwegian Government. In this statement, I will highlight five

topics that are of particular importance today, namely, issues pertaining to the continental shelf, the Arctic Ocean, efforts to preserve marine biodiversity, the need for responsible fisheries management and the need to curb piracy off the coasts of Somalia.

First, the establishment of the outer limits of the continental shelf beyond 200 nautical miles is essential for future shelf activities in those areas, as well as for environmental protection. Many developing countries face particular challenges in preparing their submissions to the Commission on the Limits of the Continental Shelf. On 21 September, Norway signed an agreement with six West African countries that stipulates that Norway will provide assistance to them in their efforts to prepare their submissions. The ultimate aim is to enable our partners to exercise their sovereign rights to the natural resources on their continental shelves, and thus provide an important basis for economic and social development. I am also pleased to announce here today that Norway will soon contribute another \$150,000 to the Commission's voluntary trust fund to enable members of the Commission from developing countries to take part in its work. We hope that this will assist the Commission in handling its caseload expeditiously.

Secondly, the Arctic Ocean is undergoing significant changes due to climate change and ice melting. As expressed by the five coastal Arctic States in the 2008 Ilulissat Declaration and by the Arctic Council in the 2009 Tromsø Declaration, an extensive international legal framework applies to the Arctic Ocean, notably the law of the sea. Important provisions of the Convention must be implemented in order to improve the safety of life at sea and environmental protection. In that regard, the work of the International Maritime Organization (IMO) to adopt mandatory rules for ships operating in polar waters is essential to modernize and improve standards related to the design and operation of ships operating under such difficult conditions and to ensure appropriate training for mariners in such waters.

Norway currently chairs the current work on that issue at the IMO. We call on States to give priority to this work so that the process can proceed effectively and be finished by 2012. Furthermore, we welcome the signing, on 15 September in Murmansk, of the Treaty between Norway and the Russian Federation on maritime delimitation and cooperation in the Barents

Sea and the Arctic Ocean. The Treaty will enhance legal clarity, predictability and, indeed, cooperation.

Thirdly, Norway firmly believes that regional environmental organizations play a crucial role in protecting marine biodiversity. One such regional organization is the Commission established by the Convention for the Protection of the Marine Environment of the North-East Atlantic. The Commission applies an ecosystem perspective and assesses how different human activities influence the marine environment. Adequate measures are then adopted accordingly. We welcome the Commission's adoption in September of significant and innovative measures to establish and manage six marine protected areas in areas beyond national jurisdiction in the North-East Atlantic. Those measures complement measures adopted by the North-East Atlantic Fisheries Commission last year. This can serve as an example of how regional cooperation within and between organizations can effectively combine sustainable management and the use of resources with biodiversity protection. In Norway's view, similar initiatives should be encouraged in other regions.

In connection with this topic and the issue of climate change, Norway welcomes the progress made by the International Maritime Organization in the establishment of technical and operational energy efficiency requirements for international shipping. However, further progress is needed. We call on States to support proposed amendments to Annex VI of the International Convention for the Prevention of Pollution from Ships, which will be considered at the IMO in July 2011.

Fourthly, illegal, unreported and unregulated fishing (IUU) seriously undermines the sustainable conservation and management of fish stocks. Last year, an important milestone in the global fight against such fishing was reached when the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing of the Food and Agriculture Organization of the United Nations (FAO) was adopted. Those negotiations were initiated by Norway in 2005 with the aim of preventing the landing of IUU fish. We encourage all States to become parties to the Agreement as soon as possible.

As a firm believer in sustainable and responsible fisheries management, Norway considers the discarding of fish to be an irresponsible waste of

resources. In a world where many countries strive to feed their populations, we can see no justification for throwing overboard food that is fit for human consumption. Furthermore, discards add to unrecorded catches, which result in incorrect fishery statistics and undermine the basis for scientific assessments of stocks and scientific advice on management.

To ensure sustainable fisheries management, it is important that States and regional fisheries management organizations initiate measures to reduce discards. Last year, the North-East Atlantic Fisheries Commission adopted a ban on discards in international waters within its area. We would like to emphasize the work of the FAO to develop an international plan of action against discards, as well as the development of guidelines on criteria and action for flag-State performance. A joint effort by all fishing nations is required to stop that irresponsible practice.

Lastly, piracy and armed robbery off the coast of Somalia continue to pose a threat to the people of Somalia and to innocent lives, humanitarian supplies, international commerce and navigation. It is of the utmost importance that captured pirates be brought to justice. Norway has therefore contributed to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia of the Contact Group on Piracy off the Coast of Somalia, with a view to building and strengthening the justice sector in the region, including in Somalia. We encourage all affected States to contribute to the Fund.

Finally, I would like to extend our appreciation to the Division for Ocean Affairs and the Law of the Sea for its hard work and dedication to ocean and fisheries issues.

Mr. Ulibarri (Costa Rica) (*spoke in Spanish*): Costa Rica appreciates the presentation of the comprehensive and detailed reports of the Secretary-General (A/65/69, A/65/69/Add.1 and A/65/69/Add.2). We also express our gratitude to the two coordinators of the draft resolutions on oceans and the law of the sea and on sustainable fisheries (A/65/L.20 and A/65/L.21), which we support. We also wish to thank the Division for Ocean Affairs and the Law of the Sea for its valuable work over the past year.

The United Nations Convention on the Law of the Sea is a fundamental instrument of international law aimed at ensuring the maintenance of peace, the appropriate management of oceans and seas and the

promotion of sustainable development and the use of marine resources. For that reason, Costa Rica underscores the importance of the Convention's unified and universal character. We urge all States that have not done so to become a party to the Convention and to accede to the 1995 Agreement for the Implementation of the Provisions on 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.

Capacity-building and technology transfer on ocean affairs and the law of the sea are crucial to the Convention's implementation. For developing countries, in particular least developed countries and small island developing States, the success of such transfer and capacity-building still depends, to a large extent, on international cooperation. However, that is also true for Costa Rica and similar countries. To move forward in that regard, it is necessary to continue to promote cooperation among all countries, including through South-South cooperation.

Despite its limits, and in order to ensure the consistent implementation of the Convention's provisions, Costa Rica is making enormous efforts to develop and implement comprehensive measures at the national level to ensure the sustainable use of our natural marine resources and the conservation of the marine environment. To that end, through an executive decree in July 2009, Costa Rica established two new management categories for the sustainable protection and use of its marine wealth. Those two categories — the marine reserve and marine management area — were in particular intended to protect the sea and its ecosystems, but also the quality of life of coastal peoples, to whose well-being Costa Rica attributes great importance.

Through a broad process of consultation with representatives of the various sectors involved in conservation, tourism and fishing, as well as institutional and municipal sectors, last year Costa Rica adopted a national strategy for the comprehensive management of marine and coastal resources. The policies necessary to integrate the conservation of marine and coastal biodiversity with the country's socio-economic development are set out in that instrument. In addition, Costa Rica actively participates in the activities and meetings of regional fisheries management organizations seeking to coordinate joint actions to bring about the continuing

development of our countries and the ongoing strengthening of regional cooperation in this area.

Costa Rica fully shares the concerns to which climate change and its effects on oceans, seas and marine resources give rise. The report of the Secretary-General clearly points out that oceans and coastal ecosystems play a key role in mitigating the impact of climate change. We therefore call on the international community, the relevant United Nations bodies and other related entities to continue to cooperate on promoting capacity in this area. It is especially important to help to identify the vulnerability of coastal marine areas to climate change. It is also important to develop programmes, projects and monitoring activities on vulnerable species and zones, as well as on mitigating and adapting to its impacts. The Ramsar Convention is particularly important in that regard, especially when it comes to protecting wetlands, which still today are subject to deliberate destruction, whether through ignorance or greed.

In conclusion, Costa Rica reiterates the importance of continuing to step up research and the use of scientific criteria for taking decisions on conservation measures and the exploitation of straddling and highly migratory fish stocks. It is also vital to ensure greater information exchange on such stocks and to implement the principle of precaution in order to ensure the long-term conservation of straddling and highly migratory fish stocks, in particular those species at risk, as is the case with sharks. To that effect, Costa Rica demands that the international community prohibit and penalize the practice of shark finning and the transshipping of fins on the high seas on a global scale as a fundamental means of protecting that resource and optimizing its rational use.

Ms. Picco (Monaco) (*spoke in French*): Allow me at the outset to thank the delegations of Brazil and of the United States of America for their leadership in the preparation of the two draft resolutions that will be submitted to a vote by the Assembly at the end of our debate. Monaco is a sponsor of those draft resolutions.

This annual exercise that we are undertaking brings us face to face, once again, with many challenges that the entire international community must confront in an enhanced spirit of solidarity in order to ensure “sustainable development and

management of the resources and uses of the oceans and seas” (A/65/L.20, *fifth preambular paragraph*).

With respect to the viability of fisheries, I would like to highlight the references in the draft resolution (A/65/L.21) to the report of the Review Conference on the Fish Stocks Agreement, adopted in May 2010, and particularly to the role of regional fisheries management organizations in undertaking effective conservation measures with all urgency. Without downplaying the socio-economic difficulties that Governments face when they commit to reducing fishing quotas, the continued existence of stocks and the very survival of certain species require drastic measures to reduce the size of the catch.

We remain concerned, therefore, about the situation concerning bluefin tuna, despite undeniably greater awareness of the issue and the decision to strengthen the control measures. We await with interest the conclusions, before 2012, of the independent performance studies on the effectiveness of regional fisheries management organizations.

On the other hand, illegal, unreported and unregulated fishing continues to be a serious threat. It exacerbates the depletion of fish stocks, threatens the viability of resources, destroys marine habitat, creates unfair competition for fishermen who are operating legally and threatens the survival of coastal communities in developing countries.

We would like to thank the Secretariat’s Division for Ocean Affairs and the Law of the Sea for the preparation of the report of the Secretary-General and its addenda (A/65/69 and Add.1 and Add.2), which are an indispensable basis for our deliberations. I would like to highlight one aspect that is common to those reference documents as well as to the recommendations of the Ad Hoc Open-ended Informal Working Group and to the reports on the Consultative Process and those on the regular process. I refer here to a recurrent theme of particular importance: capacity-building.

Without capacity-building, we will not achieve proper implementation of the United Nations Convention on the Law of the Sea and therefore of the legal system that we have established to organize international communications and promote the peaceful use of seas and oceans, the equitable and effective use of their resources, the conservation of their biological resources and the study, protection and preservation of the marine environment.

Moreover, as was recalled by His Serene Highness, Prince Albert II in his message on World Oceans Day this past 8 June, our very existence is linked to the oceans, and on them depend the food security, health, climate and the means of subsistence for many States.

Monaco fully supports the need to strengthen the international governance of oceans and their resources and is actively participating in the preparations for the United Nations Conference on Sustainable Development so that opportunities provided by a green economy within the framework of sustainable development can also be applied to the management and conservation of seas and oceans. The work of the thirteenth meeting of the Consultative Process, which will address the issue of marine renewable energy, will be an important contribution, I believe, to the preparations for the Rio+20 Conference.

Among the factors contributing to the loss of biodiversity, I would like to emphasize a phenomenon that, although not controversial, has still not received sufficient attention from decision-makers, namely the acidification of oceans.

The International Atomic Energy Agency's Marine Environmental Studies Laboratory, in partnership with the Scientific Centre of Monaco, held, from 16 to 18 November 2010, an international workshop on the ecological and economic consequences of the acidification of oceans. One of the facts highlighted by that work is that the acidification of the oceans — "a dangerous corollary of climate change" — is occurring very rapidly, particularly in polar areas, the tropics, estuaries and upwellings of deep, cold water towards the continental shelves and zones adjacent to the shore. Major ecosystems have been affected, including coral reefs, to which Monaco attaches particular importance.

While it is difficult to quantify the loss of biodiversity from an economic point of view, nevertheless, sectors related to fishing, including oyster farming and tourism, have been threatened in many countries. In the longer term, the maintenance of fishing resources because of the risk to ocean ecosystems and diversity in the food chain are also affected.

We therefore welcome the fact that the loss in marine biodiversity caught the attention of the participants in the Nagoya meeting this past October,

and that the danger of the acidification of the oceans has been the subject of particular attention in Cancún through the presentation of the United Nations Environment Programme report.

The Mediterranean, which is the largest closed sea in the world, represents 6 per cent of global marine diversity, but only 0.82 per cent of the global surface of seas and oceans and 0.32 per cent of its volume. In addition, it harbours 22 per cent of the whales that have been counted around the world.

The creation of protected marine zones, including the creation of representative networks by 2012 — which is an objective, I would recall, of the World Summit on Sustainable Development — is essential for the implementation of an ecosystem-centred approach. In February 2011, the Principality will host the second round of the Monaco Blue Initiative and will focus its efforts on protected marine areas, which are tools for the protection of marine biodiversity, such as the Pelagos Sanctuary for Mediterranean Marine Mammals.

To mark its hundredth anniversary, the Oceanographic Museum of Monaco is dedicating an exhibit to the Mediterranean entitled "Splendid, fragile and alive". At the exhibit's inauguration, His Serene Highness Prince Albert II declared that one only protects what one loves. I do not know how one could better describe the historic dedication of the Principality of Monaco to the protection of oceans and seas.

Mr. Sullivan (Canada) (*spoke in French*): Allow me to thank the coordinators of the draft resolutions on oceans and the law of the sea and on sustainable fisheries, Ambassador Valle of Brazil and Ms. Holly Koehler of the United States, respectively, for their outstanding leadership, and the Secretariat's Division for Ocean Affairs and the Law of the Sea for its excellent work and continued support. I would also like to thank delegations for their collaboration and dedication to ensuring that both resolutions continue to provide guidance for States to work towards achieving effective fisheries and oceans governance.

(*spoke in English*)

Canada is pleased to co-sponsor both draft resolutions this year, which we believe acknowledge the important work accomplished and the work that still lies ahead.

In our view, the United Nations Convention on the Law of the Sea remains the legal framework under which all ocean activities are governed, and we note in that regard its overarching and universal character. We also believe that other initiatives and instruments are useful to complement the Convention in light of the increasingly complex and multifaceted oceans agenda.

In that regard, I would like to highlight three key issues for our collective consideration and action. First is governance, including compliance, control and enforcement; second, biodiversity and ecosystems; and third, the work of two bodies established under the Convention, namely, the Commission on the Limits of the Continental Shelf and the International Seabed Authority.

Canada believes that improved decision-making will be fruitless without better governance, compliance, control and enforcement in the conservation and sustainable use of ocean resources. Efforts to strengthen fisheries governance are exemplified by the collaborative work conducted through the Food and Agriculture Organization (FAO) to combat illegal, unreported or unregulated (IUU) fishing. The adoption last year of the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing was the most significant development in that regard. I am pleased to confirm that Canada has recently signed the Agreement and is starting the process of ratification and implementation process. We urge other States to ratify or accede to this Agreement to ensure its quick entry into force.

We also support efforts within the FAO to develop flag State performance criteria as a complementary tool to the Port State Measures Agreement. Addressing the responsibilities of flag States and strengthening their effectiveness are critical means to close the net on IUU fishing. From our perspective, other key priorities for the FAO Committee on Fisheries to address at its next session, early next year, include adopting international guidelines on aquaculture certification and on bycatch and discards, developing best practices guidelines on traceability and catch documentation schemes, and implementing a further work programme to protect vulnerable marine ecosystems.

This year's resumed Review Conference on the Fish Stocks Agreement provided an opportunity for

both States parties and non-States parties to review and assess the effectiveness of the provisions of the Agreement and to propose means of strengthening the substance and methods of implementation of those provisions. Canada has been a strong proponent of the Agreement, and we reiterate the call made in this year's sustainable fisheries resolution (A/65/L.21) for all States to implement the recommendations of the resumed Review Conference and for those who have not yet done so, to give serious consideration to ratifying or acceding to the Agreement.

The Fish Stocks Agreement provides us with the important common framework, but we must translate words into actions through regional fisheries management organizations (RFMOs). RFMOs are where we deliver on our conservation and management commitments and on our duty to cooperate. It is up to us to ensure that RFMOs update their mandates and incorporate modern ecosystem management and conservation principles.

While discussing governance, including compliance, control and enforcement, we want to take a moment to speak about piracy. Canada remains committed to the international community's efforts to prevent and suppress acts of piracy off the coast of East Africa and has co-sponsored four Security Council resolutions on counter-piracy, including the most recent one. We actively participate in international forums, including the Contact Group on Piracy off the Coast of Somalia. In helping to prevent and disrupt acts of piracy, Canada's objective is to foster a secure maritime environment that will ensure safe trade and the delivery of humanitarian assistance.

I now move on to our second key issue, biodiversity and ecosystems. The precautionary and ecosystem approaches were considered innovative and modern when introduced in 1995 in the Fish Stocks Agreement. Those concepts now figure predominantly in our decision-making process when considering the sustainable use of the ocean and its resources, and they are integral to allow us to meet our conservation and management goals.

Although the precautionary and ecosystem approaches have become the norm in how we manage and conserve our marine resources, we are still in the process of collectively learning how to better implement those approaches. However, that should not serve as a deterrent in applying those principles nor

constitute an excuse for inaction. Improved scientific knowledge and new technologies will only further advance our ability to identify and protect vulnerable marine ecosystems, manage bycatch and conserve non-target species, among other objectives.

During this International Year of Biodiversity, States have reinforced their global commitments to the conservation and sustainable use of marine resources. This year's Conference of the Parties to the Convention on Biological Diversity saw the adoption of several decisions relating to marine biodiversity, resulting in a renewed commitment to marine protected areas and supporting the identification of ecologically and biologically significant areas. Canada is pleased with those outcomes and believes they are imperative to the work of the General Assembly, which retains the central role of addressing issues regarding biodiversity in areas beyond national jurisdiction.

Canada considers the integrated science-based decision-making process a key component in ensuring the sustainability of ocean resources. With that in mind, we believe that the Ad Hoc Working Group of the Whole on the regular process for global reporting and assessment of the state of the marine environment is at a pivotal point. Canada believes that upcoming meetings of the Working Group must develop a process that is policy-relevant but not prescriptive, thus allowing States to maintain a central role with respect to the scope and priorities of the assessments and to the development of appropriate policy responses. That would ensure that we have a global and integrated sense of ocean health and productivity.

Our efforts in all those ocean-related forums will be under review as preparation begins for the United Nations Conference on Sustainable Development, or Rio+20, as is it also known. In that regard, we support the decision to focus the upcoming Informal Consultative Process on Oceans and the Law of the Sea on the progress achieved and remaining gaps in the implementation of the oceans-related outcomes of the major summits on sustainable development, as well as on addressing new and emerging challenges.

I now turn to the workload of the Commission on the Limits of the Continental Shelf. Noting the Commission's workload — existing and yet to come — Canada welcomes ongoing efforts to modify the Commission's working methods to allow it to operate with maximum efficiency and effectiveness.

In order to enable productive consultations within the Informal Working Group on the Workload of the Commission on the Limits of the Continental Shelf, Canada believes that it is essential to set down in clear and detailed fashion all options and the requirements to implement them, and to do so well in advance of the Meeting of States Parties to the 1982 United Nations Convention on the Law of the Sea, in June 2011. Timing is taking on some importance, as it is only fair to those States that consider nominating a candidate for election to the Commission in June 2012 to know as early as possible the conditions under which a successful candidate will be expected to work.

Canada would also like to underline the importance of the work of another institution created by the United Nations Convention on the Law of the Sea: the International Seabed Authority.

Canada welcomes the adoption of regulations to govern prospecting and exploration for polymetallic sulphides at the last meeting of the International Seabed Authority, after six years of negotiations. The International Seabed Authority is at an interesting juncture, with applications for activities in the Area beginning to change its role from the anticipated to the actual. Canada is hopeful that regulations concerning cobalt-rich ferromanganese crusts, to which the Authority will be turning its attention next, will receive swifter passage.

The Division for Ocean Affairs and the Law of the Sea has managed to do excellent work this year, even despite growing pressures on its personnel and its financial resources. There are consistent requests for support, research, coordination and additional meetings. Delegations faced with a busier schedule of meetings also find it increasingly challenging to ensure an appropriate level of participation.

If we wish to remain productive and develop more efficient mechanisms for the conservation and sustainable management of our oceans, we must collectively find a smarter way to work within available resources. Improved cooperation and coordination in ocean affairs is needed at all levels, including within the United Nations system, in order to avoid any duplication of efforts.

(spoke in French)

Canada believes that both draft resolutions represent balanced approaches and set realistic agendas

for the international community. They not only provide us with a collective look back at this year's work, but also help us look forward in order to decide on a number of global priorities.

(spoke in English)

We applaud those States that have taken actions to facilitate the work of the international oceans community on sharing best practices, continuing dialogue and developing global guidance, especially by not letting discussions of process replace discussions of substance. We look forward to working with all States in an open and transparent way in order to identify areas for improvement and to continue efforts to strengthen and enforce existing commitments.

The Acting President (spoke in Spanish): In accordance with General Assembly resolution 51/204 of 17 December 1996, I now give the floor to Mr. José Luis Jesús, President of the International Tribunal for the Law of the Sea.

Mr. Jesús (International Tribunal for the Law of the Sea): I would like to take this opportunity to congratulate Mr. Deiss on his election as President of the General Assembly. It is a great pleasure for me to address the Assembly on behalf of the International Tribunal for the Law of the Sea (ITLOS) on the occasion of its consideration of agenda item 74, "Oceans and the law of the sea".

It is my sad duty to inform the Assembly of the death of one of our colleagues, Judge Paul Bamela Engo, on 26 April 2010. Judge Bamela Engo was a member of the Tribunal from its inauguration in October 1996 until 2008. A great part of his professional life was dedicated to the law of the sea. Prior to his election to the Tribunal, he was a prominent negotiator at the third United Nations Conference on the Law of the Sea, where he played an important role as Chair of the First Committee. We shall always remember him and his contribution to our work.

We are pleased to report some new developments in our judicial work. Since I addressed this Assembly last year, three new cases have been submitted to the Tribunal: Case No. 16, *Dispute concerning delimitation of the maritime boundary between Bangladesh and Myanmar in the Bay of Bengal*; Case No. 17, a request for an advisory opinion on the *Responsibilities and obligations of States sponsoring*

persons and entities with respect to activities in the International Seabed Area; and Case No. 18, *The M/V "Louisa" Case (Saint Vincent and the Grenadines v. Spain)*.

Case No. 16, as I have mentioned, relates to the dispute between the People's Republic of Bangladesh and the Union of Myanmar concerning the delimitation of their maritime boundary in the Bay of Bengal. In a letter dated 13 December 2009 and filed in the Registry of the Tribunal on 14 December 2009, the Minister for Foreign Affairs of Bangladesh notified the President of the Tribunal of declarations issued under article 287 of the United Nations Convention on the Law of the Sea, by Myanmar on 4 November 2009, and by Bangladesh on 12 December 2009, in which both countries accepted the jurisdiction of the Tribunal as the forum for settlement of their maritime boundary dispute.

In the same letter, the Minister for Foreign Affairs of Bangladesh invited the Tribunal to exercise jurisdiction over the dispute, "[g]iven Bangladesh's and Myanmar's mutual consent to the jurisdiction of ITLOS". In light of the agreement of the parties, as reflected in their declarations dated 4 November and 12 December 2009, respectively, to submit their dispute to the Tribunal for adjudication, and in the notification sent by Bangladesh, the case was entered in the list of cases on 14 December 2009. Subsequently, the President of the Tribunal held consultations with the representatives of the parties in order to ascertain their views on issues concerning the conduct of the case.

As a result of those consultations, the President set the time limits for presentation of the memorial and the counter-memorial. The Tribunal subsequently issued an order dated 17 March 2010, in which it set the time limits for the filing of the reply and the rejoinder. The written proceedings are now under way. Bangladesh submitted its memorial and Myanmar its counter-memorial on 31 July and 1 December 2010, respectively, as scheduled, and the written phase of the proceedings should conclude by 1 July 2011. Both parties have chosen judges ad hoc to sit in the case.

Regarding Case No. 17, in May 2010, the Seabed Disputes Chamber of the Tribunal received a request for an advisory opinion from the International Seabed Authority. This case has been entered in the list as Case No. 17. The written and oral proceedings, in which a significant number of States parties and international

organizations participated, have taken place. A total of 12 States and 3 international organizations made written submissions. During the three-day hearing, held before the Seabed Disputes Chamber in Hamburg, Germany, nine States and three international organizations made oral presentations. The Chamber is now deliberating on the case. Since, under the Convention, advisory opinions are to be given as a matter of urgency, a decision is expected in early 2011.

This request for an advisory opinion is a significant development in our work. As the first case brought before the Seabed Disputes Chamber — the body with exclusive jurisdiction to entertain disputes arising from the interpretation or application of the provisions of the Convention concerning activities in the Area, or requests for advisory opinions made by the Assembly or the Council of the International Seabed Authority on legal questions arising within the scope of their activities — it has enormous potential. As seabed activities increase, the number of disputes brought before the Chamber will, in all likelihood, also increase.

Regarding Case No. 18, on 24 November 2010, Saint Vincent and the Grenadines instituted proceedings against Spain before the Tribunal in a dispute concerning a vessel flying the flag of the former, the *M/V Louisa*, which was allegedly arrested by the Spanish authorities on 1 February 2006 and held since that date. The application instituting those proceedings before the Tribunal includes a request for provisional measures under article 290, paragraph 1, of the Convention. The proceedings concerning the provisional measures are under way, and the hearings have been scheduled to take place on 10 and 11 December 2010. As concerns the case on the merits, consultations will soon take place with the parties for the setting up of the time limits for the presentation of the written pleadings.

On the discontinuance of Case No. 7, the Assembly may recall that that case, Case concerning the Conservation and Sustainable Exploitation of Swordfish Stocks in the South-Eastern Pacific Ocean (Chile/European Union), was submitted to an ad hoc Special Chamber of the Tribunal formed under article 15, paragraph 2 of the Statute of the Tribunal. To date, this is the only contentious case that has been submitted to a chamber of the Tribunal. Since 2001, the time limits for the proceedings had been extended by successive orders at the request of both parties. The

case was ultimately discontinued last December at the request of the two parties. Although the Chamber did not deal with the substance of this case, the fact that it had been filed with the Tribunal may have helped the parties to reach an out-of-court agreement. As stated by the President of the Special Chamber, the Tribunal may assist the parties in more than one way. Adjudication is, of course, the main function of the Tribunal. It may also assist the parties, where appropriate, in reaching direct settlement of the dispute between them.

In 2010, the Tribunal held its twenty-ninth and thirtieth sessions, which were devoted to judicial and legal issues, as well as to administrative and organizational matters. The Judges also exchanged views on developments concerning law of the sea matters of interest to their judicial function on the basis of informational papers prepared by the Registry.

The Tribunal has continued to disseminate information on the law of the seas dispute settlement system by holding regional workshops on the relevant provisions of the Convention, the procedures available at the Tribunal, and the practical steps needed in dealing with a case.

One such workshop was recently organized in Fiji, in cooperation with the Government of Fiji and the Korea International Cooperation Agency (KOICA), for legal representatives of the Pacific island nations. On behalf of the Tribunal, I would like to take this opportunity to express our appreciation to the host country, Fiji, for its support and cooperation.

In 2007, with the support of the Nippon Foundation, the Tribunal established an annual capacity-building and training programme on dispute settlement under the Convention. In its 2008-2009 cycle, five government officials and researchers from China, Gabon, Indonesia, Kenya and Romania benefited from that programme. The current cycle includes seven participants, from Argentina, Brazil, Greece, Mozambique, Oman, South Africa and Togo. During the nine-month programme, they will also be exposed to the work of various international organizations with mandates related to the law of the sea and maritime law. We are grateful to the Nippon Foundation for its commitment to facilitating, through its financial support, the dissemination to new generations of information concerning law of the sea and the orderly use of the oceans.

This capacity-building programme complements the Tribunal's internship programme, which was

launched in 1997. To date, a total of 205 interns have been admitted. This year, 18 participants from different countries participated in the programme, including nine who benefited from the KOICA grant that provides financial assistance to candidates from developing countries. I would like to convey our gratitude to the Korea International Cooperation Agency for their continued financial support.

I am also pleased to inform the Assembly that the first International Foundation for Law of the Sea Summer Academy was held at the Tribunal's premises from 25 July to 21 August 2010. I am grateful to the Foundation for organizing that event, during which 31 participants from 29 countries attended specialists' lectures on the law of sea and maritime law.

In October 2009, the Tribunal established a trust fund aimed at providing financial assistance to participants in the Tribunal's internship programme for developing countries. In April 2010, the fund received its first contribution, in the amount of €25,000 from a Hamburg-based Korean company. States, intergovernmental organizations and agencies, national institutions, non-governmental organizations and international financial institutions, as well as natural and juridical persons, are invited to make voluntary

financial and other contributions to the fund. Details may be obtained from the Registry of the Tribunal.

Before concluding, I would like to welcome the Republic of Malawi, which recently became a party to the Convention, and to congratulate it on becoming the 161st party to one of the most important treaties ever negotiated. I would also like to take this opportunity to thank the Secretary-General, the Legal Counsel and especially the Director of the Division for Ocean Affairs and the Law of the Sea for their continued cooperation with and support for the Tribunal's activities.

Programme of work

The Acting President (*spoke in French*): I would like to inform Members that consideration of agenda item 34, entitled "Protracted conflicts in the GUAM area and their implications for international peace, security and development", and agenda item 39, entitled "The situation in the occupied territories of Azerbaijan", scheduled for Monday 13 December, has been postponed to a later date to be announced.

The meeting rose at 1.10 p.m.