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Official Records

President: Mr. Han Seung-soo (Republic of Korea)

*In the absence of the President, Mr. Ouch
(Cambodia), Vice-President, took the Chair.*

The meeting was called to order at 3.10 p.m.

Agenda item 20 (continued)

Strengthening of the coordination of humanitarian and disaster relief assistance of the United Nations, including special economic assistance

(a) Strengthening of the coordination of emergency humanitarian assistance of the United Nations

Reports of the Secretary-General (A/56/95, A/56/307, A/56/384 and Corr.1)

Note by the Secretary-General (A/55/649)

Draft resolution (A/56/L.14)

(b) Special economic assistance to individual countries or regions

Reports of the Secretary-General (A/56/158, A/56/264, A/56/269, A/56/338, A/56/361, A/56/389, A/56/412, A/56/470 and A/56/632)

Draft resolutions (A/56/L.15, A/56/L.16)

(c) Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster

Report of the Secretary-General (A/56/447)

(d) Participation of volunteers, "White Helmets", in the activities of the United Nations in the field of humanitarian relief, rehabilitation and technical cooperation for development

Report of the Secretary-General (A/56/308)

(e) Assistance to the Palestinian people

Report of the Secretary-General (A/56/123 and Corr.1)

Mr. Ling (Belarus) (*spoke in Russian*): The debate under agenda item 20 (c), "Strengthening of international cooperation and coordination of efforts to study, mitigate and minimize the consequences of the Chernobyl disaster", is taking place during this session of the General Assembly against the background of the fifteenth anniversary of the disaster at the Chernobyl nuclear power plant, a tragedy whose devastating consequences continue, because of their very specific and long-lasting effects, to adversely affect the development of our country.

The present consequences of the Chernobyl disaster in Belarus include newly emerging signs of

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continuously deteriorating public health, especially among children, who continue to live in the areas contaminated by radioactivity; furthermore, the real scope of the health consequences of Chernobyl has yet to be understood. The consequences of the Chernobyl disaster in our country also include the total loss of economic viability of vast areas of formerly arable land, forests and a great number of businesses; demographic distortions in the affected areas; and an adverse environmental situation resulting in a serious persisting radiation load on the population.

Overcoming the consequences of the Chernobyl catastrophe is an extremely heavy socio-economic burden requiring the diversion and reallocation of tremendous financial, material and human resources. Over its relatively short history as a sovereign State, Belarus has already spent very significant resources to that end, equivalent to approximately \$12 billion. In some years, Belarus has had to spend up to 20 per cent of its annual budget to mitigate the consequences of the Chernobyl disaster.

I am convinced that overcoming the consequences of a similar technological catastrophe, given its tremendous scope and the specificity of its long-lasting effects, would have caused serious problems even for economically advanced countries. It is obvious that for Belarus, undergoing systemic social, economic and political reforms, the implementation on its own of the entire set of measures for post-Chernobyl rehabilitation is objectively a very serious challenge.

Throughout recent years, Belarus has enjoyed the support and solidarity of the international community, the most important embodiment of which for us are the activities of the United Nations system. Today, we offer our most sincere gratitude to individual Member States — Germany, the United States, Italy, Canada, Denmark, Switzerland, the United Kingdom, Spain, Belgium, Japan and others — as well as to governmental non-governmental organizations for their support and participation in the provision of assistance to the victims of Chernobyl. We highly appreciate the efforts of the United Nations system to mitigate, first and foremost, the human consequences of Chernobyl, including social and economic, medical, environmental and humanitarian consequences. Belarus is convinced that the appropriate coordinating and catalytic role of the United Nations in this area must be continued and consolidated.

Belarus is satisfied that this year, coinciding with the fifteenth anniversary of Chernobyl, the international community, including the United Nations system, has made active progress in revising the nature and focus of future international cooperation to overcome the consequences of the Chernobyl catastrophe and in seeking ways to optimize it. We welcome the efforts of the Secretary-General to design and implement innovative measures in this area, as mandated by resolution 54/97.

The Republic of Belarus commends the new strategic approach to international post-Chernobyl cooperation proposed by the Secretary-General in his report to the General Assembly at its fifty-sixth session. This approach is defined by the need to implement comprehensive medium- and long-term programme efforts to restore the sustainable development of the Chernobyl-affected areas and their human potential. We believe that the report submitted by the Secretary-General is the result of an in-depth and independent situational analysis and represents a sufficiently objective reflection of the current level of international Chernobyl-related cooperation.

We are now at the critical stage of drafting the new strategy for international post-Chernobyl cooperation. The Republic of Belarus believes that further efforts to that end should be gradual, thoughtful and undertaken in a very carefully considered sequence. Of course, such measures, from our perspective, should seek ultimately to increase the effectiveness of the existing coordinating mechanisms for international Chernobyl-related cooperation.

In this context, the Republic of Belarus feels that the further strengthening of internal system-wide coordination within the United Nations is of critical importance. In this regard, we look forward to the continuation of active cooperation within the framework of the Inter-Agency Task Force on Chernobyl with a view to the fulfilment of its mandate, as established by the relevant resolutions and decisions of the General Assembly and the Economic and Social Council.

Appropriate, well-coordinated and mutually reinforcing efforts at the global and field levels, undertaken through United Nations representations in the affected countries, should play a major role in increasing the effectiveness of such cooperation. We are hopeful that the successful solution of all these

problems will give additional impetus to the mobilization of resources crucial to financing efforts to mitigate the medical, socio-economic and environmental consequences of the Chernobyl catastrophe. We highly appreciate and support the practical steps and initiatives put forward in this regard by the United Nations Coordinator of International Cooperation on Chernobyl, Mr. Kenzo Oshima.

The Republic of Belarus counts on the continued presence of the Chernobyl issue on the international agenda, including in the United Nations. For Belarus, this issue is of crucial importance, since it affects the future of nearly 2 million Belarusian citizens, including some 400,000 children, who continue to be most affected by the consequences of the Chernobyl disaster.

The Chernobyl catastrophe occurred outside our country, yet we continue to carry the burden of this tragedy, relying almost exclusively on our own resources. We have accumulated invaluable experience in overcoming the consequences of this unprecedented technological catastrophe and are ready to share it with the international community. That is why we consider it legitimate to view the Chernobyl problem as an issue of indisputably global relevance.

Mr. Isakov (Russian Federation) (*spoke in Russian*): We note with satisfaction the progress in international cooperation in the field of United Nations emergency humanitarian assistance, which has been achieved to a great extent through the strengthening, first and foremost, of such coordinating mechanisms and instruments of humanitarian assistance as the Inter-Agency Standing Committee and consolidated inter-agency appeals.

The involvement of the Office for the Coordination of Humanitarian Affairs in the solution of complex problems related to the conduct of humanitarian operations, ensuring preparedness and early warning against emerging humanitarian crises has become more active and effective. It is important that the key principles for the provision of humanitarian assistance be guaranteed to that end. These principles include neutrality, humanity, impartiality, the absence of political conditionality, respect for the sovereignty and territorial integrity of States, and the provision of assistance with the consent of the affected country and in accordance with international law and national legislation. Further strict adherence to these principles is an indispensable condition for the development and

improvement of international humanitarian cooperation.

We see as priority tasks the further improvement of security for humanitarian staff and its access to those in need of assistance; the perfection of planning strategy for humanitarian operations; the improvement of coordination in the field; and the strengthening of countries' capacities in the areas of early warning and preparedness for natural disasters. The practice of recent humanitarian operations confirms that it is high time for the international community to draft an integral concept of humanitarian activities in times of conflict and emergency situations, which would interlink United Nations peacekeeping operations and further stages of peace-building, rehabilitation and development.

The task of strengthening international cooperation to study, mitigate and minimize the consequences of the Chernobyl disaster, including within the framework of implementation of the Chernobyl resolution of the fifty-fourth session of the General Assembly, is still topical even 15 years after the disaster.

The inter-agency needs assessment mission to the affected areas, which was carried out in summer 2001, stated that the Chernobyl man-made disaster resulted in a major social and economic crisis with long-term serious consequences for the present and future generations.

The Governments of Belarus, the Russian Federation and Ukraine have already carried out an enormous amount of work to eliminate the consequences of the Chernobyl disaster and continue to undertake comprehensive measures in this direction. However, the amount of resources available is insufficient.

We are grateful to the Governments of Switzerland, the United States and Ireland, private donors from Japan, as well as non-governmental organizations from Germany, whose assistance made it possible to continue some important post-Chernobyl programmes and projects. At the same time, it is necessary to admit that international assistance generally, and United Nations efforts particularly, in that direction is seriously restrained by the constant lack of resources. In these circumstances, it is especially important to search for new, more efficient

approaches, while focusing on key tasks of post-Chernobyl cooperation.

From our perspective, recent steps have been taken in that direction to expand the participation of the United Nations Development Plan (UNDP), the United Nations Children's Fund (UNICEF) and other agencies, funds and programmes that are involved in the Inter-Agency Task Force on Chernobyl and in rehabilitation and development programmes, as well as the appointment of the UNDP Assistant Administrator and Regional Director for Europe, Mr. K. Mizsei, to the position of Deputy United Nations Coordinator for Chernobyl. We believe that closer cooperation between the United Nations and the World Bank in this area would also do a lot of good.

Our approaches to improvement of post-Chernobyl cooperation are reflected in the draft resolution on this item, which is sponsored by Belarus, the Russian Federation and Ukraine. We are counting on the broad support of all States for it.

We positively assess efforts to provide humanitarian assistance to the population of Afghanistan. We believe this to be one of the most important humanitarian tasks of the international community. While increasing the amount of humanitarian assistance to Afghanistan, it is also important to ensure its maximum efficiency, including through strengthening coordination of international efforts in this area. Here we see a great role for the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator of the United Nations, Mr. Kenzo Oshima, personally. In the new dynamically developing situation in the liberation of Afghanistan from the obscurantism of the Taliban, OCHA will carry out its tasks in the most operative and flexible manner.

Russia, jointly with Kazakhstan, Kyrgyzstan and Tajikistan, is actively participating in the preparation and implementation of the activities of the international humanitarian coalition. The questions of the transit of humanitarian goods and ensuring the security of personnel in border areas are being resolved successfully. There is close interaction between the Russian Ministry responsible for dealing with emergencies and the humanitarian agencies, particularly the World Food Programme, in delivering food aid to Afghanistan.

In this context, from our viewpoint, the draft resolution on international assistance, in the interest of peace, normalization of situation and rehabilitation in Tajikistan, which we actively support, assumes new meaning. Despite progress in the peace process and realization of economic changes, Tajikistan still requires serious humanitarian assistance aimed at its rehabilitation and long-term development. Therefore, we must be concerned by the low level of implementation of the United Nations Appeal for Tajikistan for 2001.

We believe that the activities of the "White Helmets" can become a useful supplement to United Nations efforts, to provide humanitarian assistance and create effective mechanisms of humanitarian reaction in crisis situations. Active interaction between "White Helmets" and "Blue Helmets", through their close coordination, can relieve the United Nations of functions not part of its mandate after the completion of peacekeeping operations. We believe that this subject should be covered in the Secretary-General's report.

In conclusion, I wish to say a few words about the humanitarian situation in Yugoslavia. Unfortunately, the urgency of this problem, despite the measures undertaken by the United Nations system, is not abating. Large numbers of refugees and internally displaced persons have exacerbated the social and economic situation of that country, which was already very difficult. We support the draft resolution on humanitarian assistance to the Federal Republic of Yugoslavia and call upon all Member States to support it.

Mr. Jilani (Palestine) (*spoke in Arabic*): At the outset, I wish to express on behalf of my delegation my gratitude and thanks to Mr. Kofi Annan for his report contained in document A/56/123-E/2001/197. I would also like to express our gratitude and appreciation to Mr. Terje-Roed Larsen, United Nations Special Coordinator for the Middle East peace process and the Personal Representative of the Secretary-General to the Palestine Liberation Organization (PLO) and the Palestinian Authority.

As indicated in the report under this item, there are also many reports submitted to this session of the General Assembly, in addition to other specialized reports produced by the United Nations organs and agencies and other international institutions. Among

these is the report of the Commissioner of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the Secretary-General's report submitted to the Second Committee and the report of the United Nations High Commissioner for Human Rights, Mrs. Mary Robinson, among others. All these reports point out the grave situation produced by the current crisis and its devastating impact on the lives of the Palestinian people and on peace and security of the entire region.

These reports clearly point to Israeli practices and policies, which constitute flagrant violation of international law, including human rights, international humanitarian law and the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. These practices and policies, in addition to their devastating impact on the lives of the Palestinian people, tend to deliberately impede the efforts of the United Nations and other international organizations that are aimed at providing assistance to the Palestinian people and alleviating their suffering.

The practices of the Israeli occupying force claim the lives of hundreds of innocent civilians, including children. They have also resulted in the injury of thousands. Policemen have been killed. Infrastructure and homes have been destroyed. Fruit trees have been uprooted. Roads linking Palestinian cities and villages have been destroyed. Tunnels have been dug around towns and villages and have been turned into huge prisons. Electricity, radio and television installations have been targeted and bombarded. The occupying forces have for over a year imposed a total blockade on the movement of goods and people between Palestinian towns and villages and between those and the outside world. The report indicates the detrimental impact on the living conditions of the Palestinian people and the Palestinian economy.

The continuation of the illegitimate Israeli occupation of Palestinian land, including Jerusalem; the continuation of its settlement policies; tightening the noose on and deliberately humiliating the Palestinian people; and the failure of the peace process to end those violations all constitute the true reasons for the current crisis. That crisis poses a grave danger to the stability and peace of the entire region. We totally agree with the Secretary-General, who in his report concludes that no peace, security or just solution can be achieved without the resumption of negotiations

based on Security Council resolutions 242 (1967) and 338 (1973).

The first step in that direction would be the immediate and complete implementation of the recommendations of the Sharm El-Sheikh Fact-Finding Committee, i.e., the Mitchell Committee report. In this connection, we greatly appreciate the role played by the Secretary-General and by his Personal Representative, Mr. Terje Roed-Larsen, in efforts to revive the peace process. We also wish to emphasize the importance of the United Nations in achieving a just and comprehensive peace through its permanent responsibility for the question of Palestine.

We would like to express our gratitude to the European Union for providing continuous and vital assistance to the Palestinian people and the Palestinian Authority. We also wish to thank Arab countries, and in particular the Kingdom of Saudi Arabia and the United Arab Emirates and other Arab countries that continue to provide assistance to the Palestinian people and their national institutions.

In conclusion, we would also like to emphasize the importance of a draft resolution under this agenda item calling on Israel to completely end its policy of closure and blockade and of impeding of the movement of people and goods inside occupied Palestinian territory, including Jerusalem. Israel should stop its deliberate destruction of the infrastructure and economy of the Palestinian people. It should also deliver monies to the Palestinian Authority, stop its settlement activities and immediately and completely implement the conclusions of the Mitchell Committee.

Mr. Enkhsaikhan (Mongolia): During the last decade and especially in the last few years, droughts, heavy snowfall, storms and rainfall of unprecedented intensity have been occurring at a frequency never observed before. Since the 1960s, the number of disaster-affected communities worldwide increased threefold, while the economic losses suffered by victims of natural disasters increased tenfold, reaching \$40 billion a year. As can be seen from the Secretary-General's report, complex emergency situations pose tremendous challenges, and on a much greater scale than before.

Demand for humanitarian assistance is, unfortunately, on the increase; so is the importance of further strengthening the coordination of humanitarian assistance by the United Nations. In that regard, my

delegation wishes to welcome the recommendations made by the Secretary-General in his report to the General Assembly and the Economic and Social Council (A/56/95).

Mongolia is among the countries that in the last few years have been hit hard by drastic weather changes. Thus, drawing on my country's experience and on our observations, I wish to make a few points that my delegation believes should not be overlooked in future actions to strengthen cooperation and coordination in international humanitarian assistance.

The first point that I wish to make is that natural disasters such as droughts, snowfall, rainfall and storms of increasing frequency and intensity have devastating but mainly short-term effects. On the other hand, longer-term effects resulting from desertification and deforestation, changing ocean currents, reduced water quality and supply, and the spread of warm-weather diseases to new areas could more seriously affect and threaten even more profoundly the lives of people and the economies of many countries, especially developing ones.

During the last two years Mongolia has been experiencing the worst, or should I say the harshest, winter disasters in four decades. A winter disaster caused by a combination of preceding drought, heavy snowfall, cold weather and icy conditions could occur in Mongolia for the third consecutive year this winter, according to meteorological forecasts. One cannot expect to overcome such situations of chronic natural emergency in many developing countries by relying only on emergency assistance. It is clear that long-term, proactive and creative strategies of sustained disaster prevention need to be devised, based on the pattern of changing weather and environmental conditions and the ensuing vulnerabilities. Therefore, increasing the role of the United Nations and its relevant agencies in undertaking this analysis is to be welcomed, especially in the preparation for the World Summit on Sustainable Development.

Secondly, as has already been rightly emphasized, successful development in the long run reduces the need for emergency assistance by placing the country's economic, social and environmental conditions on a sound and sustained footing. In that regard, I wish to underline the importance of speed, both in response to disasters and in shifting from emergency to long-term development activities. The current complex

emergency situation in Afghanistan could be taken as a vivid example of a situation in which emergency assistance is urgently needed, especially bearing in mind that winter is coming.

It is equally important that emergency assistance to Afghanistan be followed up by long-term post-conflict reconstruction and rehabilitation assistance. Long-term stability prospects for war-ravaged people will greatly depend on a country's economic development. Given the fact that the economic development infrastructure in land-locked Afghanistan is virtually non-existent or destroyed, international organizations and donors stand to play a major role in Afghan development efforts.

The third point that I wish to make is that victims of natural disasters who are helped to preserve their livelihoods are in fact prevented from falling into poverty. In the case of Mongolia, in the winter of 1999-2000 thousands of families lost all their livestock, and have thus been left virtually without a source of income and food. It will take many years before the people can manage to rebuild their livestock. Under these circumstances, projects aimed at replacing livestock and helping shepherds to obtain new skills have proved to be successful in changing their lives and giving hope to families that otherwise face the danger of impoverishment.

Finally, allow me to reiterate that the Government and people of Mongolia are very grateful to the United Nations, donor countries and organizations for providing support in times of need. Two consecutive harsh winters, referred to in Mongolia as a "dzud", or winter disaster, have led to a loss of nearly 17 per cent of the nation's entire livestock. The agricultural sector and, most importantly, the livestock sector, are the backbone of the country's economy. Therefore, the effects of the natural disaster have been devastating. However, they have been mitigated to a great extent by the overwhelming response to the joint appeal launched last January by the United Nations and the Government of Mongolia.

Nine people lost their lives in a tragic helicopter accident during the United Nations mission to help those affected by the disaster. We wish to pay tribute once again to those who made the ultimate sacrifice helping people in dire need and to express our indebtedness and gratitude to those who are working in the field and in Headquarters for this noble cause.

Mr. Moniaga (Indonesia): Today, the number and scope of natural disasters and complex emergencies are increasing, thus placing more people at risk. Humanitarian agencies are increasingly being called on throughout the world to respond. It is therefore of concern that while the international community depends on these services, the resources are not always commensurate with the needs, and there have been budget shortfalls.

Indonesia welcomes the efforts to strengthen the consolidated appeals process by improving inter-agency coordination and greater use of joint assessments, monitoring and results-based assessments. It is nevertheless discouraging that the consolidated appeals process does not always meet expectations and needs, and that unbalanced and inadequate funding continues. As the Secretary-General has indicated in his opening remarks launching the 2002 Consolidated Inter-Agency Appeals, the consolidated appeals process for 2001 has received barely 50 per cent of the amount required. All countries should remain cognizant of the need to fulfil the 2002 appeal, "Reaching the Vulnerable", and of the associated risks of failing to do so. We appreciate the consolidated inter-agency appeal for internally displaced persons in Indonesia for 2002, launched yesterday. It is noteworthy that the consolidated appeal does recognize that assistance to internally displaced persons must be complemented with simultaneous support to local host communities.

Indonesia would like to stress the importance of channelling humanitarian relief efforts through multilateral assistance programmes, thus ensuring that a truly global response is made, evenly and comprehensively. It is unfortunate that high-profile humanitarian situations tend to attract more than their fair share of resources, while the less publicized but equally needy cases must struggle to meet goals. Moreover, close cooperation between the relief agencies and the host country is necessary for maximum effectiveness in humanitarian relief efforts.

The international community should not lose sight of the importance of the continuum from relief to development and in the transition from war to peace. We should continue to strengthen coordination and cooperation among the various humanitarian and relief agencies, and with United Nations development bodies. Failure to plan for and improve the transition from

relief to development only threatens to undo short-term results.

Indonesia welcomes the initiatives being made to improve coordination and strengthen emergency preparedness and response capacity. The preparedness levels of Governments and the partnerships with non-governmental organizations have improved contingency planning. I should like to emphasize the need to strengthen early warning, prevention and preparedness for natural disasters. Likewise, continuing efforts to coordinate and strengthen partnerships with civil society and the private sector should help meet some of the requirements.

In that regard, we recall the need for increased resources from the donor community for the acquisition of appropriate technology and for human resources that can access such technology. Only by increasing coordination and cooperation among all partners can we ensure that the developing countries are able to avail themselves of the technology necessary to effectively address mitigation, preparation, planning and response.

Furthermore, the international community cannot ignore the fact that there is considerable loss of life and destruction of property annually as a result of poverty and underdevelopment. My delegation would like to reaffirm its belief that for disaster management to be effective, it should be within the context of poverty eradication and national development programmes. We look forward to the comprehensive report on disaster reduction to be submitted by the Secretary-General at the next General Assembly session.

We welcome the additional attention now being directed by the international community to the issue of internally displaced persons. We believe that it is the primary responsibility of each Government to care for those within its national territory. Given the limited capacity of many host countries to adequately respond on their own, however, there is a clear need for international assistance in support of national initiatives.

At the same time, we are also aware of the need to address factors contributing to crises of internally displaced persons, recognizing that it is often not conflict, but principally poverty, natural disasters and catastrophic events that lead to them. We recall the controversy surrounding the Guiding Principles on Internal Displacement and believe that the issue of its

application will be resolved. Furthermore, we would like to reaffirm our strong support for the mechanisms that are established under General Assembly resolution 46/182, in particular, the principles of humanity, neutrality and impartiality for the activities in providing humanitarian assistance.

In concluding, my delegation commends the work that has been accomplished by the United Nations system in humanitarian activities. We need to build on those successes and achieve maximum efficiency and effectiveness. My delegation is confident that, with the appropriate level of cooperation and coordination among all humanitarian actors, public and private, we will achieve this goal.

The Acting President: In accordance with the decision taken by the General Assembly at its 63rd plenary meeting, on 26 November 2001, I now call on the observer of Switzerland.

Mr. Helg (Switzerland) (*spoke in French*): Ten years ago, resolution 46/182 was adopted in this Hall with the aim of strengthening the coordination of United Nations emergency assistance destined for victims of conflicts, crises and natural disasters. The resulting coordination mechanisms have demonstrated their value — and sometimes also their limits — in an ever-changing environment characterized, *inter alia*, by the predominance of internal conflicts and by increasingly varied interests.

Over those 10 years, Switzerland has fully supported efforts to ensure consistency and coordination in the work of humanitarian actors in conformity with their respective mandates. The central role of the Office for the Coordination of Humanitarian Affairs merits recognition and full support both by United Nations and non-United-Nations operational agencies and by Governments and other concerned entities. There is still reason to fine-tune instruments such as the consolidated inter-agency appeal process with a view to ensuring coordinated planning and implementation.

Since its establishment under resolution 46/182, the Inter-Agency Standing Committee has provided a platform for high-level thematic dialogue and joint approaches among United Nations and non-United-Nations humanitarian agencies. In the past 10 years, much has been done to bolster the capacity of the United Nations system to be prepared and to respond to emergencies and disasters. It is fitting that we support

these mechanisms, which help enhance the impact of international humanitarian assistance. But among our top priorities should also be to strengthen local and regional structures for prevention, preparation and emergency response.

Guaranteeing unimpeded access to those in need, wherever they may be, and ensuring complete respect for the safety and security of humanitarian personnel, their facilities and their means of transport are essential aims in conflict situations and in natural or technological disasters; this is noted too in the report of the Secretary-General on safety and security of humanitarian personnel and protection of United Nations personnel (A/56/384 and Corr.1).

In emergencies, it is the affected Governments that bear primary and direct responsibility to act. Moreover, in cases of armed conflict, the responsibility of non-State actors, such as armed movements, has been established. But the international community as a whole is involved, because all States are parties to the Geneva Conventions and therefore have a collective responsibility to implement and respect international humanitarian law and its essential principles. It is clear that civilian populations, today more than ever before, are victims of barbaric behaviour and are the actual targets in conflicts. This is cruelly illustrated by the forced population displacements that we have witnessed over the past decade.

I cannot fail to make reference to the situation in and around Afghanistan. Switzerland hails the dedication of humanitarian agency personnel in easing the suffering of the weakest and the most vulnerable. Restoring and maintaining safe, secure and unimpeded access for humanitarian organizations — including United Nations agencies, the International Committee of the Red Cross and the main humanitarian non-governmental organizations — to Afghan populations within the country will be a priority goal in the weeks ahead. International and local workers connected with those organizations must be able to operate both within Afghanistan and in neighbouring countries, and should enjoy adequate safety and security, while always maintaining the apolitical, impartial and unconditional nature of their activities. The planning, coordination and implementation of humanitarian assistance programmes within the framework defined by the Afghanistan Support Group must continue under that Group's auspices; Switzerland takes this opportunity to recall the positive role the Group is playing.

All parties to conflict must respect the principles of humanitarian action under all circumstances. In Afghanistan and in other regions, humanitarian action cannot and should not be a substitute for the search, in the proper framework, for solutions to the root causes of conflict.

The report of the Secretary-General on strengthening the coordination of humanitarian assistance rightly emphasizes that managing conflicts and their humanitarian consequences requires in-depth knowledge of the underlying economic interests. In Afghanistan and in other devastated regions, conflicts with catastrophic humanitarian consequences continue because, inter alia, of the material advantages acquired by some through the exploitation of natural wealth, through trafficking in weapons and drugs, and even through the systematic diversion of humanitarian assistance.

Improving coordination is an ambitious objective, but we can always increase our effectiveness and the impact of our activities. In view of the suffering that must be eased — since it has not been possible to prevent it in the first place — it is more necessary than ever that we pool our efforts so that, when the time comes, we can support rehabilitation efforts.

The President: In accordance with General Assembly resolution 45/6 of 16 October 1990, I call now on the observer for the International Committee of the Red Cross.

Mr. Villettaz (International Committee of the Red Cross): The International Committee of the Red Cross (ICRC) wishes to thank the Assembly for giving it the opportunity to speak on a subject of paramount importance: humanitarian coordination. The sheer dimensions of the human suffering resulting from the numerous conflicts raging in the world, together with the complexity prevalent in most humanitarian crises, are far beyond the capacity of any single organization. That is among the reasons why the number of humanitarian actors in the field, with different mandates and areas of expertise and with varying resources, has seen a considerable increase in recent years. However, in spite of those developments, the ICRC is deeply distressed by the toll paid by civilians in general, and more so by the particularly vulnerable among them, such as women and children. It is therefore only natural that coordination should form an

intrinsic part of the universal humanitarian effort if that endeavour is indeed to gain in overall effectiveness.

For the ICRC, the whole issue of humanitarian coordination basically involves two sets of challenges. The first concerns coordination among humanitarian actors, which include United Nations agencies as well as other organizations, and the second relates to cooperation between humanitarian organizations on the one hand and political and military authorities on the other. Both activities aim at making humanitarian action more effective for the victims we seek to assist.

With regard to humanitarian actors, the ICRC's approach to coordination is based upon regular contact involving dialogue and mutual consultation, both at headquarters and in the field, on thematic issues and on operational questions. The basic principle underlying the ICRC's participation in coordination mechanisms and efforts is to seek the greatest possible complementarity with other actors. The ICRC views that complementarity as flowing from the respective mandates, expertise and operating methods and procedures of the various organizations involved.

It is from this perspective that the ICRC cooperates with the established coordination mechanisms and structures of the United Nations, such as the Inter-Agency Standing Committee and the Office for the Coordination of Humanitarian Affairs (OCHA). As a standing invitee of the Inter-Agency Standing Committee, it participates in various meetings of that forum and its subsidiary bodies, sharing information and views on a host of thematic and operational issues. With regard to OCHA, the ICRC contributes to, among other things, the discussions concerning the elaboration of humanitarian action plans in various complex emergencies, and it actively participates in the Geneva launch of the consolidated appeals. Similarly, on the question of internally displaced persons, it continues to cooperate with the inter-agency structures put in place under OCHA.

In parallel, the ICRC pursues its coordination efforts with United Nations agencies and non-governmental organizations at the bilateral and multilateral levels. A recent example of the latter would be the guiding principles and working procedures agreed upon early this month in Kosovo between the ICRC, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees (UNHCR) and Save the

Children, pertaining to the care and protection of unaccompanied or separated children. At the bilateral level, there exists, for example, an ongoing dialogue with the World Food Programme aimed at ensuring better delivery of food aid in situations of humanitarian crisis. In the same vein, the ICRC also held this year a high-level meeting with UNHCR, focusing on the subject of refugees in war zones.

Within the International Red Cross and Red Crescent Movement, the meeting of the Council of Delegates, gathered in Geneva on 11-14 November, adopted the overall strategy for the Movement, whereby the issue of coordination with other humanitarian actors is duly accorded equal importance.

As a strictly humanitarian, neutral and independent organization, the ICRC has consistently held the position that political and military actions ought to be kept distinct from humanitarian operations. In its view, the fundamental mission of political and military actors is to reach and secure political settlements of ongoing conflicts. While such settlements are key to ultimately ending suffering engendered by conflicts, it is crucial that, in the meantime, humanitarian actors be able to independently assist and protect the victims.

Humanitarian action, by virtue of its very principles and objectives, is and ought necessarily to remain fundamentally different from political and military action. It is neutral with regard to the conflict. It is undertaken in favour of all those who suffer, without any distinction, and is non-coercive because it is based on the consent of all the parties concerned. Were this perception to be altered by a blurring of the distinction between humanitarian action, on the one hand, and political initiatives and military operations on the other, the consequence could be greatly impeded access to victims and high security risks for humanitarian workers. As a result, humanitarian organizations would be considerably less capable of alleviating the suffering of men, women and children.

In conclusion, the ICRC wishes to reaffirm its commitment to fostering the spirit and practice of humanitarian coordination, rendered indispensable by the overwhelming needs of victims. Efforts will also be devoted to working towards a clearly defined framework of interaction between humanitarian and political endeavours, aimed at preserving the essence of humanitarian action. The ICRC is equally

determined to fulfil its special role as an independent and neutral intermediary in situations of armed conflict, as enshrined in the Geneva Conventions.

The Acting President: In accordance with General Assembly resolution 49/2 of 19 October 1994, I now give the floor to the observer for the International Federation of Red Cross and Red Crescent Societies.

Mr. Gospodinov (International Federation of Red Cross and Red Crescent Societies): I thank the Assembly for this opportunity to offer some reflections on the coordination of humanitarian assistance from the point of view of the International Federation of Red Cross and Red Crescent Societies.

Coordination is primarily about partnership among the agencies, between agencies and individual Governments — whether of countries where activities are carried out or of those that provide resources — and, not least, between agencies and their beneficiaries.

Today I wish to focus on partnerships between agencies. Such partnerships are important for a number of reasons. In the first place, the needs of the people we aim to serve, the most vulnerable, are multifaceted and change over time. There is no single agency that can cover them all at all times. This is a question not only of resources but of the requirement that all of us focus on what we are best at and not venture into activities for which we are less well equipped or of which we have inadequate understanding.

Over the relatively recent past, most humanitarian agencies have begun to refocus on their core activities. Undoubtedly, this is partly a result of what the donors wish to happen. But clearly, it also makes sense from the point of view of the beneficiaries and, not least, from the point of view of host Governments.

This is not to say that that focusing is entirely unproblematic. The expansion of the activities of many agencies, including ourselves, has at least in part been a response to a perception of important needs that have gone unfulfilled and that we, on humanitarian grounds, have tried to do something about. Withdrawing from activities outside our core mandate is not going to make those needs go away or ensure that someone else takes the necessary action. It is in this context that the notion of better and more strategic partnerships between agencies is so important as the basis for coordination — the exchange of information and

analysis, the common understanding of the situation that we should deal with, and the voluntary allocation of roles and responsibilities based on mutual understanding and respect among all actors.

The humanitarian agencies of the United Nations, together with the Red Cross and Red Crescent Movement and representatives of the non-governmental organization community, are fortunate to have available to them the Inter-Agency Standing Committee, which over the years has become an important tool for the coordination of humanitarian assistance, not least in its role in allowing the discussion of issues with which we are faced in many crisis situations, developing methodologies and achieving the mutual respect and understanding I referred to a moment ago.

As an example, let me refer to a specific situation. As we all know, this year marked the fifteenth anniversary of the Chernobyl accident. Who, at the time it happened, would have thought that the consequences would still be with us so many years later and that the needs of the affected populations would still require many agencies to work on the various aspects of the response?

The support of the International Federation of the Red Cross and Red Crescent Societies for the activities of the national Red Cross societies of Belarus, Russia and Ukraine at first concentrated on screening food supplies and the surrounding environment through radiometric testing. But through several strategic adjustments, based on reviews of the situation and the needs, it is now focused on medical screening, with a special focus on children and people who were children at the time of the accident, with an important element of psycho-social support.

The United Nations has recently reviewed its involvement in Chernobyl-related activities and has made important changes to its strategic approach. The International Federation of the Red Cross plans to carry out a major evaluation in 2002 to assess the relevance, effectiveness, efficiency, sustainability and impact of the intervention to date, and make further adjustments to its programme of support for the national Red Cross Societies involved. We do expect, however, that in future the programme will include the continuation and further development of the medical component, as well as an increased focus on rehabilitation and psycho-social support.

One of the most important things the international community needs to do is to continue the learning process to ensure that it is adequately prepared the next time a comparable disaster occurs. We have no doubt that it will, sooner or later, and the experiences of responding to Chernobyl need to be absorbed and analysed so they can be brought to bear in that event.

Allow me to touch once again on the situation in Afghanistan. While I and many other speakers have spoken of the need to coordinate humanitarian assistance, Afghanistan provides an example of the need to coordinate humanitarian and development work. Much ink has flowed already to describe the need for post-conflict rehabilitation and reconstruction after the current military confrontation is over and, hopefully, stability has returned to the country.

The point I wish to make is that the International Federation of Red Cross and Red Crescent Societies has now spent more than a decade on post-conflict rehabilitation and reconstruction in Afghanistan. Admittedly, this process has been punctuated and disturbed by recurring military and political conflict and by a series of natural disasters, including earthquakes, landslides and drought. Clearly, the Afghan Red Crescent has been affected by these developments, not least at the level of its leadership. We believe, however, that the ability of the Afghan Red Crescent Society to continue to build its presence and its activities at the local level is evidence of the resilience of Afghan communities and of their dedication to creating a better future for themselves and for their children.

The issues touched on in this statement are a small sample of the reasons why the International Federation of Red Cross and Red Crescent Societies has come to be seen as a strong unifying force in the dialogue between the intergovernmental community, States and non-governmental organizations. The International Federation's role in the coordination of much of the assistance that flows to beneficiaries following disasters, and its role in disaster preparedness, aimed at minimizing the impact of disasters, are well known.

It is this position that has led us to promote an initiative to examine the state of international disaster response law. The International Federation has spoken of this initiative several times in recent years, noting that important elements of the initiative have their

origin in some of the issues mentioned in the 2000 *World Disaster Report*.

I will not go into detail on this subject today, for it requires special attention in its own right. I should say, however, that the Council of Delegates of the International Red Cross and Red Crescent Movement decided, on 13 November 2001 in Geneva, to proceed with the initiative, with a view to placing a substantive report on international disaster response law before Governments and national Red Cross and Red Crescent Societies when they meet for the twenty-eighth International Conference at the end of 2003.

In this context, the Council also heard about the work being done under the auspices of the Office for the Coordination of Humanitarian Affairs on international urban search and rescue, a topic of profound importance to the International Federation and the National Red Cross and Red Crescent Societies.

We hope to produce further information on this issue for States as well as for Red Cross and Red Crescent Societies shortly, and undertake to keep the General Assembly and other parts of the United Nations family fully up to date on developments in this important area.

The Acting President: I should like to inform members that, at the request of the sponsors of draft resolution A/56/L.14, action on the draft resolution is postponed to a later date.

The Assembly will now take a decision on draft resolutions A/56/L.15 and A/56/L.16.

Draft resolution A/56/L.15 is entitled "Emergency international assistance for peace, normalcy and rehabilitation in Tajikistan".

Before proceeding to take action on the draft resolution, I should like to announce that, since the introduction of the draft, the following countries have become sponsors of draft resolution A/56/L.15: Bangladesh, the Czech Republic, Cambodia, El Salvador, Greece, India, Ireland, the Republic of Moldova, the Syrian Arab Republic, Turkmenistan and Ukraine.

May I take it that the Assembly decides to adopt draft resolution A/56/L.15?

Draft resolution A/56/L.15 was adopted (resolution 56/10).

The Acting President: Draft resolution A/56/L.16 is entitled "Emergency assistance to Belize".

Before proceeding to take action on the draft resolution, I should like to announce that, since the introduction of the draft, the following countries have become sponsors of draft resolution A/56/L.16: Cambodia, Greece, Ireland, Israel, Madagascar and St. Lucia.

May I take it that the Assembly decides to adopt draft resolution A/56/L.16?

Draft resolution A/56/L.16 was adopted (resolution 56/11).

The Acting President: I shall now call on those representatives who wish to make statements in exercise of the right of reply.

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

Mr. Govrin (Israel): Once again the Palestinian observer has demonstrated his unwillingness to forgo any possible opportunity to attack my country.

The Palestinian observer would, further, like us to believe that Israel is intentionally strangling the Palestinian population. Nothing could, in fact, be further from the truth.

Israel deeply regrets the difficult situation that the Palestinian people are currently experiencing. We must, however, recognize that those difficulties are linked to the Palestinians' own choice to engage in violence and terrorism. If this violence has brought with it certain hardships, the Palestinians have no one to blame but themselves.

Encouragement of terrorism and of other forms of violence by the Palestinian leadership forces Israel to adopt preventive security measures. The need for those measures was evidenced just this morning, when Palestinian terrorists, armed with automatic weapons, opened fire in a crowded market in the northern Israeli city of Afula, killing two Israelis and wounding scores of others, many of them seriously. A joint statement of responsibility for that attack was issued by Islamic Jihad and the Al-Aqsa Martyr's Brigade, a group closely tied to Palestinian Authority Chairman Arafat's own Fatah faction. The failure of the Palestinian

leadership to live up to its responsibilities to end violence and terrorism, particularly terrorism emanating from within its own ranks, is the reason why Israel's security measures are absolutely necessary. They are not punitive actions arising from malice, but essential steps taken in the face of escalating Palestinian terrorism.

Those who perpetrate and encourage such behaviour are the ones responsible for bringing economic hardship to the Palestinians. Even in the face of continuing violence, Israel continues to take steps to ensure that our legitimate security precautions inflict the barest minimum of inconvenience on the Palestinian population. These include special measures that take into consideration the Ramadan period. We are making every effort to facilitate the free movement of food, gas and medicine in and out of the Palestinian territories. In instances of medical emergency, Israel routinely treats Palestinians, including women and children, at Israeli hospitals, free of charge.

But it is the continuing Palestinian incitement, violence and terrorism that force us to focus on protecting the fundamental rights of our civilians, first and foremost the right to life. We would prefer to focus our energies on conducting negotiations to provide for a better future of security and prosperity for Israelis and Palestinians alike.

Mr. Jilani (Palestine) (*spoke in Arabic*): I should like to reply to the statement just made by the representative of Israel. Once again, the representative of Israel has given us an assessment of what has taken place in the occupied Palestinian territories that differs completely from what has been reported by the specialized organs and agencies of the United Nations, as well as by the international human rights organizations. Many reports, including reports presented to the General Assembly at this session, clearly refer to Israeli measures intended to insult and intimidate unarmed Palestinian civilians at Israeli checkpoints, as well as to the deliberate destruction of buildings, the uprooting of fruit trees and the blocking and destruction of roads.

The report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) includes an entire chapter on Israeli actions that hamper the work of UNRWA. It also makes it perfectly clear that such

actions and measures are not undertaken to ensure the security and safety of the Israelis.

Just today, Israel, the occupying force, dug a trench four metres wide and three metres deep around the city of Tulkarm, thereby converting the entire city and its population into a giant prison, in an attempt to impede the movement of Palestinian citizens, including those who need access to medical care. There have been numerous cases of sick people dying at Israeli checkpoints.

The representative of Israel made a reference to the attack carried out by some extremists today. We blame Israel, in particular the Government of Sharon, for that act. We have been warning of the possibility of such acts for the past two days. Those who claimed responsibility for the act said that it was a response to the Israeli Government's assassination of Palestinian citizens in the city of Nablus, which took place just two days after the occupying force perpetrated a heinous crime that resulted in the deaths of five Palestinian schoolchildren.

All these measures are unnecessary and unwarranted, whether they are judged from the standpoint of security or from any other perspective. The only justification for such acts is the desire of Sharon, the Prime Minister of Israel, to destroy any possible opportunity for a resumption of the peace process. He received the two United States envoys even as he resumed the policy of assassination and the killing of Palestinian children. Such policies have been condemned by the entire international community.

The Government of Israel has so far failed to respond to international efforts to resume immediately the process of implementing the recommendations of the Mitchell Committee. We doubt that the representative of Israel was actually expressing the opinion of the Government of Israel, for even the Foreign Minister of Israel admitted that he was not expressing the opinion of the Government of Israel. That in itself is a clear indication of Israeli Government policy. But if the Israeli Government is truthful in expressing its desire to resume negotiations, the road ahead of us is clear. All the Government of Israel has to do is to clearly declare its commitment to implementing immediately and completely the recommendations of the Mitchell Committee and its intention to negotiate a final settlement. We have not heard any such declaration from the Government of

Sharon. Everything we hear and see leads to further escalation of the situation and represents an attempt to give extremists further opportunities to destroy the peace process.

The European Union Commissioner, Mr. Javier Solana, described the demands of Sharon using the word “stupidity”. I think we can go beyond that. Sharon is determined to refuse to provide any opportunity for negotiations to resume or for final peace to be achieved in the area. The actions of Sharon are witness to that fact. We wish that we could start hearing one line from the Government of Israel, instead of one from the Foreign Ministry and a different one from the head of the Government or the military Chief of Staff.

The President: I should like to inform Members that other draft resolutions will be submitted at a later date under agenda item 20 and its sub-items.

I should also like to remind Members that sub-item (f), entitled “Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan”, will be considered together with agenda item 43, “The situation in Afghanistan and its implications for international peace and security”, at a later date.

Agenda item 30

Oceans and the law of the sea

(a) Oceans and the law of the sea

Reports of the Secretary-General (A/56/58 and Add.1)

Report on the work of the United Nations Open-ended Informal Consultative Process established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs at its second meeting (A/56/121)

Draft resolution (A/56/L.17)

(b) 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

Report of the Secretary-General (A/56/357)

Draft resolution (A/56/L.18)

The President: I give the floor to the representative of Brazil to introduce draft resolution A/56/L.17.

Mr. Biato (Brazil): I have the honour, as one of the coordinators, to introduce draft resolution A/56/L.17, entitled “Oceans and the law of the sea”. The other resolution, which comes under item 30 (b), is entitled “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 representative of the United States will introduce it.

Since the publication of the draft resolution, the following countries have also become sponsors: the Bahamas, Barbados, Canada, China, Cyprus, Indonesia, Jamaica, Kenya, Luxembourg, the Federated States of Micronesia, Nauru, the Netherlands, Papua New Guinea, Saint Lucia, Spain and Tonga.

The draft resolution is the result of a substantial series of open-ended consultations among delegations. At the outset, I would like to express my appreciation to all delegations for their active participation and constructive spirit, and in particular to thank Mr. Julian Vassallo of Malta for acting as co-facilitator of the informal consultations. I would also like to express my gratitude to the staff of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs for their highly professional assistance, which, as usual, contributed decisively to the success of our work.

The draft resolution and the debate today on the Secretary-General’s report are an expression of the General Assembly’s commitment to issues relating to oceans and the law of the sea. As set out in the preambular part of the draft resolution, there is an increasing awareness and understanding of the importance of the oceans and seas for the Earth’s

ecosystem and for providing food security and sustaining the economic prosperity and well-being of present and future generations. It recognizes the inter-relatedness of all ocean issues and the need to address all of their aspects in an integrated manner. It touches on a number of problems of immediate importance, such as illegal, unregulated and unreported fishing; the degradation of the marine environment, from both land-based sources and pollution from ships; and crimes at sea, and it emphasizes the need for capacity-building and the effective application of marine scientific knowledge and technology in dealing effectively with these problems. Finally, it acknowledges the role of the United Nations Convention on the Law of the Sea as the legal framework for all activities in the oceans and seas, and as a basis for action at the national, regional and global levels.

Mr. Rosenthal (Guatemala), Vice-President, took the Chair.

To that end, the resolution, in its operative part, takes note of the significant developments towards the full establishment of the institutional framework foreseen by the Convention in setting up a system of global ocean governance. In the case of the International Seabed Authority, the issuance of contracts for the prospecting and exploration for polymetallic nodules in the area opens a vast new frontier for the regulated and rational exploitation of valuable resources, in a manner consistent with the equitable development of humankind's common heritage.

The resolution also recalls the important work of the International Tribunal for the Law of the Sea in promoting the rule of law. In this regard, I note that Judge Rao will not be able to take part in our debate. He has been obliged to remain in Hamburg because of the case brought by the Irish Government before the Tribunal with respect to the opening of a mixed oxide (MOX) facility in the United Kingdom. However, copies of his prepared statement on behalf of the Tribunal are available at the back of the Hall.

The draft also notes the considerable progress in the work of the Commission on the Limits of the Continental Shelf. The decision of the eleventh meeting of States Parties to review the date for commencement of the 10-year time period with respect to the presentation of submissions reflects concern to

ensure that coastal States benefit from the establishment of the outer limits of their continental shelves beyond 200 nautical miles.

Two recent milestones in the ongoing endeavours to progressively enact a comprehensive law of the oceans are equally noteworthy: the imminent entry into force of the United Nations Fish Stocks Agreement and the adoption last month by the United Nations Educational, Scientific and Cultural Organization of the Convention on the Protection of the Underwater Cultural Heritage.

Many elements of the resolution have benefited from the outcome of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, held over the last two years. Drawing on the recommendations of this year's meeting, the draft resolution addresses two areas in particular.

On the one hand, it underlines the importance of promoting and facilitating marine science research and cooperation for the implementation of the provisions of Parts XIII and XIV of the Convention and the sustainable development of the oceans and seas and their resources. To that end, it calls for greater coordination of efforts at the regional and global levels to put into practice ocean science programs. Special attention is afforded to the needs of developing countries, and to the role of capacity-building and the transfer of marine expertise in ensuring the effective application of marine science knowledge and technology.

On the other hand, the draft also covers the question of piracy and armed robbery at sea. It emphasizes the importance of greater joint efforts by States and relevant international bodies to prevent and combat these illicit activities by adopting a common approach to enforcement, investigation and prevention. It recalls the importance of ensuring a proper framework for a coordinated response to this serious challenge that not only disrupts regular navigation but also is a threat and hindrance to trade, as well as a safety hazard.

As in previous years, the draft resolution also covers a wide array of issues directly relevant to ocean affairs. On the problem of degradation of the marine environment, attention is once again called to the importance of the full implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities. In respect of

illegal, unreported and unregulated fishing, the draft recognizes the need for bilateral cooperation and the central role of regional and subregional fisheries regimes.

The draft resolution also takes note of the importance of the trust funds established by the Secretary-General to assist States, in particular developing States, in complying with and benefiting from the provisions of the Convention.

The draft resolution is the result of a largely consensual negotiating process that reflects broad-based acceptance of the Convention's contribution to the rule of law — a contribution that goes beyond the confines of ocean affairs. It would have been my wish that the draft resolution could be adopted in that spirit and understanding.

Allow me now to make a few remarks on behalf of my country. For reasons of geography and history, Brazil has always had its eyes set on the oceans. Referring to the traditional concentration of the Brazilian population along the coast, it was said in the past that Brazilians were like crabs on a beach, insistently hugging the sea line for fear of leaving behind the bounty of the ocean for the unexplored hinterland. This picture has changed dramatically as the result of inland colonization over many decades, yet Brazilians still retain their love of the sea coast and its beaches. Most importantly, however, Brazil has always been an active and enthusiastic supporter of the Convention and of efforts to put its provisions into practice.

Brazil's views will be largely reflected in the statement to be delivered by the Permanent Representative of Chile on behalf of the Rio Group. I would like, however, to refer to certain key issues of immediate concern to us.

The entry into force of the Convention seven years ago was a landmark on the path towards collective action in ocean affairs, yet the promise of the Convention and the effective implementation and regulation of the international legal framework to which it gave rise have been only partially achieved. The variety and complexity of the issues reflected in the Secretary-General's yearly reports on ocean affairs clearly bear out the usefulness of the General Assembly debate on this wide range of increasingly interdependent matters. It is an unfortunate fact, however, that this awareness has largely been the result

of growing concerns with the ever more worrying consequences of the uncontrolled and unsustainable exploitation of the oceans and their resources.

Clearly, there is a growing understanding that the problems of the oceans and the seas are interrelated and require a holistic approach. We therefore consider that progress in generating a modern legal framework for regulating their use to be highly positive. The adoption of the United Nations Educational, Scientific and Cultural Organization Convention, as well as the entry into force of the United Nations Fish Stocks Agreement, are, from that perspective, positive trends. We believe that both instruments strike a fair balance between the different and often competing interests involved.

No doubt, these instruments are not seen by all in the same light. It is the challenge ahead to explore the opportunities for cooperation and coordination that they provide, in the spirit of the Convention. In the case of fisheries, the Fish Stocks Agreement provides an urgently needed framework for the establishment and implementation of conservation and management measures through existing or new fisheries management regimes. It therefore undergirds and complements the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing adopted by the Food and Agriculture Organization of the United Nations.

We believe that the Consultative Process has helped focus attention on the need for greater coordination. At the very least, it has brought together specialists and given greater visibility to issues that require joint action. My delegation pays tribute to the work of the co-chairpersons, Ambassador Neroni Slade and Mr. Alan Simcock. Their knowledgeable guidance ensured that the output of the two meetings of the Consultative Process will significantly enrich and enlarge this annual debate in the General Assembly.

The choice of areas of focus for next year's Consultative Process was timely, in view of the forthcoming World Summit on Sustainable Development. Both topics chosen reflect the need to link cross-cutting issues, such as capacity-building, regional cooperation and integrated ocean management, with existing programmes and institutions. How best to enhance these linkages in a manner consistent with the objectives of the Convention was the fundamental reason for setting up

the Consultative Process. Brazil looks forward to next year's meeting, most especially as we consider how issues of special relevance to developing countries, such as capacity-building and technology transfer, can be viewed within a regional focus and as a catalyst for change along a broad range of interrelated areas.

Both these issues — capacity-building and the transfer of up-to-date technological resources — are crucial to the establishment of comprehensive national programmes in the field of marine science and technology. It is essential that existing regional and global mechanisms be put into action in fostering international cooperation in this field. Only thus will many countries, developing ones in particular, have access to technologies that promote the sustainable exploitation of their marine resources. We recall in this connection the need to revitalize existing programmes and coordinating mechanisms, such as the Global Ocean Observing System and the Global International Water Assessment.

On the issue of the limits of the continental shelf, Brazil hosted this year a symposium on marine geophysics. In addition, as a result of the experience acquired in preparing its own submission, the Brazilian Government has decided to develop and make available to interested coastal States a five-day regional training course on the delineation of the outer limits of the continental shelf beyond 200 nautical miles. This course, which will follow the outline prepared by the Commission, will be held between 3 and 9 March 2002 in Rio de Janeiro, under the sponsorship of the Brazilian Inter-ministerial Commission on Sea Resources.

As concerns non-living marine resources, Brazil values highly the work of the International Seabed Authority. The recent issuance of contracts for prospecting and exploration of polymetallic nodules opens a new chapter in the sustainable development of ocean resources. Equally exciting are the avenues for future prospecting and exploration now opening in the field of polymetallic sulphides and cobalt-rich crusts in the Area. Given the lack of experience in this matter and the relative paucity of information about the deep ocean in general, we are very keen that the continued consideration of issues relating to the elaboration of regulations for these activities be guided by a general adherence to the precautionary principle. In this regard, we particularly appreciate the work done by the Legal and Technical Commission of the Authority in setting

up the necessary environmental guidelines for future activities.

As we embark on what I am sure will be a most constructive and stimulating debate, I wish to conclude by commending to the Assembly's consideration an issue very dear to all those dealing with ocean affairs: the commemoration next year of the twentieth anniversary of the Convention. As we review past achievements and the present and future challenges before the Convention, let us take the occasion next year to rededicate our countries and the international community as a whole to the task and vision we set ourselves two decades ago.

The Acting President (*spoke in Spanish*): I call on the representative of the United States to introduce draft resolution A/56/L.18.

Mr. Siv (United States of America): My delegation is pleased to co-sponsor the draft resolution entitled "Oceans and the law of the sea." We also have the honour to introduce, on behalf of the sponsors, the draft resolution entitled "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."

I should like to announce that since the publication of draft resolution A/56/L.18, the following countries have become co-sponsors: the Bahamas, Greece, Nauru, the Netherlands, Saint Lucia and Samoa.

We extend our gratitude to all delegations that participated in drafting the "Oceans" resolution, especially drafting coordinator Marcel Biato of Brazil. He had the formidable challenge of guiding the process while many of the participants were also working on terrorism issues. In addition, we thank delegations for their active participation in this year's fisheries negotiations, and the Secretariat for its tremendous support during both discussions.

The United States has long accepted the United Nations Convention on the Law of the Sea as embodying international law concerning traditional uses of the oceans. The United States played an important role in negotiating the Convention, as well as the 1994 Agreement that remedied the flaws in Part XI of the Convention on deep seabed mining. Because the

rules of the Convention meet United States national security, economic and environmental interests, I am pleased to inform the Assembly that the Administration of President George W. Bush supports accession of the United States to the Convention.

The United States hopes the international community will fully endorse the resolutions before us today. We believe they contribute to progress on oceans issues and reflect the benefits to be gained from international cooperation in this vital sphere.

We are particularly pleased that the Agreement on straddling stocks and highly migratory fish stocks is about to enter into force. I take this opportunity to encourage other nations that have not already done so to sign and accede to this Agreement. We consider it to be essential for protecting fish stocks, in order to provide food security and economic development today and for future generations.

This Agreement is an important part of the system of global instruments that have been negotiated in recent years to promote sustainable fisheries. One key decision taken is the call for the Secretary-General to convene informal consultations with States parties to the Agreement to discuss the evolving situation occasioned by its entry into force. The United States looks forward to participating in these discussions. We hope that in the future States parties will meet regularly to ensure that the legal obligations of the Agreement are adopted and implemented in an even and transparent manner.

A second element of this system of instruments that bears special mention is the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing, recently adopted by the Food and Agriculture Organization of the United Nations (FAO). The United States is working on the development of its national plan of action on IUU fishing. We encourage other Governments to do the same, if possible before the 2003 meeting of the FAO Committee on Fisheries. The four FAO International Plans of Action, including the IUU fishing plan, have all been adopted pursuant to the FAO Code of Conduct for Responsible Fisheries. Both fishermen and the environment would benefit from a wider application of their provisions.

The United States believes that the Informal Consultative Process on oceans and law of the sea has provided a valuable forum for nations to move forward

on matters relating to oceans and seas that require improved coordination. The issues discussed in the Consultative Process last spring — marine science and combating piracy — are matters of considerable interest and concern to the United States. Indeed, a few months later we experienced the intersection of these two topics, when a United States scientific research vessel was attacked off the coast of Somalia. This distressing incident illustrates the threat that piracy poses to marine scientific research, as well as to all other legitimate activities at sea.

Draft resolution A/56/L.17 before us today calls for further international cooperation to combat this threat, a statement we strongly endorse. It recognizes the need for additional training for seafarers, port staff and enforcement personnel. We also join in the call for States to adopt legislation to respond to incidents of piracy and armed robbery at sea.

The United States also welcomed the opportunity to discuss marine scientific research during the Informal Consultative Process. By its nature, marine science has important international ramifications. The conduct of oceanographic and other marine studies often requires access to other countries' exclusive economic zones. The Law of the Sea Convention establishes a framework for marine scientific research to ensure that coastal States receive the benefits of such research conducted in their exclusive economic zones, an obligation that the United States supports.

Under the Law of the Sea Convention, it is also incumbent upon coastal States to provide timely clearance for research vessels, absent a basis for denial specified in the Convention. As noted in the draft resolution before us today, marine scientific research can make important contributions to eradicating poverty, ensuring food security, conserving the environment and understanding and responding to natural processes. It is vital to the international community that all States foster the cooperation necessary to capture these benefits.

I have mentioned a number of times already the excellent international cooperation within the United Nations process and generally on law of the sea matters. It is therefore with regret that I must note the lack of such international cooperation or consensus regarding law of the sea issues in the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Protection of

Underwater Cultural Heritage. Many provisions of that agreement, most notably the annexed rules, will be helpful in addressing underwater cultural heritage.

Unfortunately, the provisions relating to jurisdiction, the reporting scheme, warships and the relationship between the agreement and the Law of the Sea Convention were included without consensus and are problematic. As a matter of international law, the UNESCO Convention, if it enters into force, will apply only among parties to it and cannot be considered in resolving any conflicts involving non-parties or their vessels.

The United States recognizes the importance of the work of the subsidiary bodies of the Law of the Sea Convention. As a consequence, we consider it vital that the work be conducted in a careful and deliberate manner. Pursuant to the decision of the Eleventh Meeting of States Parties to the Convention, the earliest date that submissions need to be made to the Commission on the Limits of the Continental Shelf is 2009. That decision ensures that all parties have ample time to prepare submissions carefully, with all the necessary supporting data. The outer boundary of the continental shelf established by a coastal State based upon the recommendation of the Commission is final and binding — a decision that may have major implications for the geographic scope of the International Seabed Authority's competence. Parties and the Commission should therefore ensure that all questions regarding data and the underlying science are thoroughly addressed.

The United States looks forward to participating in the third round of the Informal Consultative Process, next spring. We believe that the protection and preservation of the marine environment is a particularly timely topic as nations prepare for the World Summit on Sustainable Development. Another topic covers cross-cutting approaches to ocean affairs, such as capacity-building, regional cooperation and the integrated management of oceans. We expect that this discussion will be relevant to the review next year of the Informal Consultative Process.

In summary, the United States continues to promote widespread adherence to, and cost-effective implementation of, the provisions of the Law of the Sea Convention and the Straddling Fish Stocks Agreement. We support the protection and use of the oceans consistent with these conventions. We are

therefore pleased to support the adoption of these draft resolutions.

Mr. Asadi (Islamic Republic of Iran): It is indeed a great pleasure for me to speak on behalf of the Group of 77 and China on item 30 (a) of the agenda, entitled "Oceans and the law of the sea". We in the developing world attach great importance to this issue, as it relates to the multifaceted topic of oceans and seas.

Since the last session of the General Assembly, we have been actively engaged in a series of meetings, including informal consultations over the past few weeks on the draft resolution under this item. This intensive engagement should indicate the conviction of the Group of 77 and China, as the largest intergovernmental bloc here at the United Nations, regarding the imperative of constructive and proactive involvement in the deliberations on this agenda item. Let me seize this moment to assure the Assembly of our full cooperation and support with a view to a rich and fruitful discussion and a successful conclusion to our collective endeavour on the agenda item at hand.

As the Assembly is aware, consensus has emerged on the draft resolution on this item, and we are party to that consensus. I deem it necessary, however, to state here a few points that we consider fundamental.

First, I should reiterate once again our position of principle that the United Nations Convention on the Law of the Sea sets out the legal framework within which all activities in the oceans and seas must be carried out. The strategic importance of the Convention as the basis of actions at all levels in the marine sector hardly needs to be emphasized. We firmly believe that the integrity of the Convention should be maintained. This point has been clearly and rightly underlined in previous General Assembly resolutions under this agenda item, namely, resolutions 54/33 and 55/7. Furthermore, the universal and unified character of the Convention, in particular for the sustainable development of the oceans and seas as well as their resources, should be underscored.

Having made these points of principle, I would now like to turn to the very good, informative reports we have before us, for which we are grateful to the Secretary-General. I would also like to thank the Division for Ocean Affairs and the Law of the Sea for the extensive work it has done in this area. Our deliberations here today are a good opportunity for the

members of the intergovernmental body to present and elaborate their views on the content of the reports before the Assembly. A number of initiatives, projects and developments have been addressed in the Secretary-General's report contained in document A/56/58/Add.1, of which it will suffice to refer to only a few.

With regard to marine scientific research, it is evident that part XIII of the Convention and the consent regime thereon are the framework for any activities in this area by the States parties to the Convention, and, therefore, its integrity should be maintained. While we express our satisfaction with the outcome of the Eleventh Meeting of States Parties to the Convention, we emphasize that those meetings constitute the unique body for monitoring the implementation of the Convention.

We note with interest the recent adoption of the Convention on the Protection of Underwater Cultural Heritage by the United Nations Educational, Scientific and Cultural Organization (UNESCO). It will set the framework for future debate on this topic. We also welcome the entry into force, on 18 June 2001, of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. This instrument is the first agreement in this field and paves the way for addressing the serious concerns of developing countries, particularly those of coastal States, with regard to the transboundary movement of radioactive waste. In our view, this is only the first step, and we have a long way ahead of us.

With regard to climate change and sea-level rise, it is our earnest hope that the successful conclusion of the sixth and seventh Conferences of the Parties to the Framework Convention on Climate Change, which provided necessary operational mechanisms for the entry into force of the Kyoto Protocol, will also contribute to the sustainable development of oceans and seas as well as to the identification of appropriate solutions to sea-level rise.

Moreover, in our view, the World Summit on Sustainable Development, scheduled for late August 2002 in Johannesburg, South Africa, should, inter alia, devise specific measures for the full implementation of chapter 17 of Agenda 21, on oceans. This is a unique opportunity for the entire international community to address effectively the sustainable development of oceans and seas and their resources.

With regard to the question of piracy, as my colleagues here will remember, we have previously expressed our concern over the increase in piracy and armed robbery incidents at sea. Our proposals were presented to the second meeting of the Informal Consultative Process. I doubt they need to be repeated here. But, very briefly, let me just add that we encourage and support improved cooperation among States to combat these unhealthy trends. At the same time, we would also like to highlight the importance of the provision of support by the international community to the developing countries to improve their capacity to confront and effectively deal with such incidents.

Back in May 2001, at the second meeting of the Consultative Process, the Group of 77 highlighted some of its views with regard to oceans and the law of the sea. They are as relevant now as they were then. At this stage of our collective work in this multilateral process, it should be clear to all of us that sustainable development of the oceans and seas and their resources calls for, inter alia, as a matter of priority, addressing the needs of developing countries. This is, as everybody here knows full well, in line with the provisions of General Assembly resolution 55/7 and decision 7/1 of the Commission on Sustainable Development. In this context, as we have stated before, transfers of environmentally sound technology and capacity-building to developing countries deserve particular attention. Among the main problems they face is the serious inadequacy or outright lack of technical, financial, technological and institutional capacity in developing countries to effectively tackle the catastrophes and threats to the ecology of oceans and seas. Worse still, these countries, generally speaking, even suffer from lack of or insufficient access to the results of marine scientific research. Scarcity of international financial resources in developing countries has also received particular emphasis in the Secretary-General's report. The report further underlines that the acquisition of new technologies is beyond the capabilities of most developing countries. Fortunately, though, the agreed themes for the third meeting of the Consultative Process contain elements referring to these issues and aspects.

We believe the third meeting will provide a good opportunity for discussion on relevant provisions of the Convention, in particular sections 2 and 3 of part XII

and part XIV. The Group of 77 and China considers the following areas relevant to the discussion of the next meeting of the Consultative Process, and we therefore request that they be properly reflected in the meeting's documents: pollution in oceans and seas from various sources, in particular, in fragile ecosystems such as closed and semi-closed seas; fisheries and the socio-economic welfare of developing countries; preventing the use of unsustainable fisheries; ballast water; marine pollution in coastal areas and its effects on agriculture and fresh water; crisis management in emergency situations; and the necessity of carrying out environmental impact assessment for implementation of projects considered potentially dangerous in fragile marine environments.

Furthermore, we consider the following measures imperative for the effective preservation and protection of oceans and seas: strengthening coordination at the international and inter-agency levels with the aim of avoiding duplication; strengthening the regional organizations of the United Nations Environment Programme regional seas programme through further cooperation among relevant international organizations with them; establishment of centres for dissemination of information on marine scientific research and technology; and active involvement of the Global Environment Facility in financing relevant capacity-building projects in developing countries, including coastal cities waste management and recycling projects.

In conclusion, let me underline that we look forward with hope and anticipation to the next meeting of the Consultative Process and the review of its work at the fifty-seventh session of the General Assembly. The Assembly can be assured that we will continue our active and constructive participation in the process.

Mr. Kolby (Norway): The establishment of a legal order for the seas and oceans in the form of the United Nations Convention on the Law of the Sea represents a major contribution to the strengthening of peace, security, cooperation and friendly relations among nations. The full implementation of the Convention at all levels will promote the economic and social advancement of all peoples of the world. It remains fundamental that the problems of ocean space are closely interrelated and need to be considered as a whole. The Convention is the legal framework within which all activities related to the oceans must be considered.

The United Nations Convention on the Law of the Sea involves large parts of the United Nations system. Under the Convention and related resolutions of the Third United Nations Conference on the Law of the Sea, important responsibilities are entrusted to the Secretary-General. In its pertinent resolutions, the General Assembly has requested the Secretary-General to carry out these responsibilities. The Convention assigns important roles to competent international organizations and United Nations specialized agencies, such as the International Maritime Organization, the United Nations Environment Programme (UNEP) and the Food and Agriculture Organization. The institutions established under the Convention itself, including the Meeting of States Parties, have their own specific tasks with respect to its implementation. The General Assembly is the only global body having the competence to undertake overall reviews and evaluations of the implementation of the Convention and other developments relating to ocean affairs and the law of the sea.

In its resolution 49/28, the General Assembly decided to undertake an annual review and evaluation of the implementation of the United Nations Convention on the Law of the Sea and other developments relating to ocean affairs and the law of the sea based on an annual comprehensive report prepared by the Secretary-General. Norway attaches the utmost importance to this mechanism, whose implementation comes under article 319, paragraph 2, subparagraph (a) of the Convention.

It is a widely held view that the General Assembly should devote more time and attention to the report of the Secretary-General under the agenda item entitled "Oceans and the law of the sea". This issue was also raised by the Commission on Sustainable Development at its seventh session, and was followed up by the General Assembly in its resolution 54/33, establishing an open-ended informal consultative process in order to facilitate the annual review by the General Assembly.

The General Assembly will review the effectiveness and utility of the Consultative Process at its fifty-seventh session, next year. It is our view that this issue must be seen in the broader context of the General Assembly's better organizing its consideration of the agenda item on oceans and the law of the sea. We should consider the possibility of referring this agenda item to one of the Main Committees of the

General Assembly. We may also want to consider the establishment of a special committee on oceans and law of the sea based on the model of the Special Committee on Peacekeeping Operations.

Since the entry into force of the United Nations Convention on the Law of the Sea, the establishment of the institutions created under the Convention has been the main challenge with respect to its implementation. In the view of the Norwegian Government, focus should now be put on the implementation of part XII, on protection and preservation of the marine environment, of part XIII, on marine scientific research, and of part XIV, on development and transfer of marine technology.

The Convention had not yet entered into force at the time of the 1992 adoption by the United Nations Conference on Environment and Development of chapter 17 of Agenda 21. The entry into force of the United Nations Convention on the Law of the Sea in 1994 provided the necessary legal framework for the implementation of the programme of action contained in chapter 17 of Agenda 21. As the Commission on Sustainable Development states in its decision 7/1, the Convention sets out the legal framework within which all activities in this field must be considered. Chapter 17 of Agenda 21 remains the fundamental programme of action for achieving sustainable development in respect of oceans and seas. A main focus of the World Summit on Sustainable Development to be held at Johannesburg in September 2002 should be to provide guidelines with a view to using the legal framework set out in Part XII of the Convention to operationalize chapter 17 of Agenda 21.

The degradation of the marine environment through land-based activities as well as through pollution and dumping at sea continues to be of great concern. With regard to the former, Norway supports efforts to advance, in particular through improved financial mechanisms, the implementation of the United Nations Environment Programme (UNEP) Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, the implementation of which is being reviewed for the first time by an intergovernmental conference taking place this week at Montreal.

Norway has for many years advocated the strengthening of international regulations on the transport of radioactive materials by sea, as well as

stronger liability rules for such activities. The work of the International Atomic Energy Agency (IAEA) is of vital importance. At its forty-fifth regular session, held earlier this year, the General Conference of the IAEA highlighted the need to examine and improve measures and international regulations relevant to the international maritime transport of radioactive materials and spent fuel, as well as the importance of having effective liability mechanisms in place.

Our oceans and the resources below are to a large extent "uncharted waters". To understand and properly exploit those vast resources in a sustainable way, the effective application of marine scientific knowledge and technology is of vital importance. It is essential to ensure the acquisition, generation and transfer of marine scientific data to assist coastal developing States so that they may be able to fulfil their obligations under the United Nations Convention on the Law of the Sea. Last year, Norway proposed the establishment of a voluntary fund to assist with capacity-building and training for developing States in their compliance with article 76 of the Convention. During this year's negotiations, and as a follow-up to the establishment of the trust fund, we have put forward the idea that UNEP host and develop a centre for research data from the outer continental margin to serve the needs of coastal States, and developing States and small island developing States in particular. Norway has been encouraged by the support that this proposal has received and intends to reintroduce the proposal.

In October this year, the General Conference of the United Nations Educational, Cultural and Scientific Organization (UNESCO) adopted the Convention on the Protection of the Underwater Cultural Heritage. While Norway remains committed to further strengthening international cooperation for that purpose, we felt obliged to vote against the adoption of the Convention. The Convention does indeed provide useful principles and measures that serve to bring forward and strengthen international cooperation in this respect. However, the Convention, unfortunately, also includes parts which jeopardize the fine balance of jurisdiction achieved through the carefully drafted United Nations Convention on the Law of the Sea.

Norway is committed to maintaining the fine balance of the regime of the United Nations Convention on the Law of the Sea. Efforts to further strengthen the protection of underwater cultural

heritage should be promoted within that framework. That would ensure broad international agreement and support, and thus the efficiency that such measures deserve. We also believe that while UNESCO certainly is the appropriate body to adopt rules and measures to implement the relevant provisions of the United Nations Convention on the Law of the Sea with regard to the Protection of Underwater Cultural Heritage, UNESCO is not the appropriate body to challenge the Law of the Sea Convention regime. On that basis, Norway was not in a position to support the Convention on the protection of the underwater cultural heritage, and Norway will not participate in any international cooperation based on the provisions of the UNESCO Convention relating to the exclusive economic zone or to the continental shelf.

We consider that the UNESCO Convention is covered by article 311, paragraph 3, of the United Nations Convention on the Law of the Sea. Thus, the UNESCO Convention does not affect the enjoyment by other States of their rights or the performance of their obligations under the United Nations Convention on the Law of the Sea. We will look very carefully into whether the provisions of the UNESCO Convention that relate to the exclusive economic zone and the continental shelf are compatible with the effective execution of the object and purpose of the United Nations Convention on the Law of the Sea and whether they will affect the application of the basic principles embodied therein.

The annex to the UNESCO Convention represents a major achievement and has our full support. We are aiming at unilateral application of the rules set out in the annex and would encourage other States to consider this as well.

On 26 August this year a Norwegian vessel, MS *Tampa*, engaged, at the request of the competent Australian authorities, in a rescue operation that saved the lives of some 450 persons. But the *Tampa* was denied access to territorial waters and harbour to deliver the survivors to a place of safety, even though the vessel was not seaworthy to continue sailing with many times the number of people on board for which it was certified under national and international regulations. Norway fears that that incident may be erecting a most unwelcome obstacle, preventing those at sea from being rescued when they are in distress or are shipwrecked. The tradition of the seas and the obligation of every seafarer entail assisting anybody who is in need of assistance, irrespective of his or her

nationality or the purpose of his or her voyage. Such assistance has always been provided on the basis that coastal States are to honour a customary duty to allow those who are shipwrecked to go ashore. When that duty is not respected, as was the case during the *Tampa* incident, the established regime of safety and rescue at sea is put in jeopardy.

We welcome the invitation by the Secretary-General of the International Maritime Organization (IMO) at the ongoing IMO Assembly to engage in a review of the existing legislation concerning the delivery of persons rescued at sea to a place of safety, regardless of their nationality or status or the circumstances in which they are found, with a view to strengthening and harmonizing the competences of the agencies involved. In our view, there may also be a need for reaffirmation, codification and progressive development of the existing rules and principles of general international law regulating this matter. Needless to say, the rules set forth in existing international conventions, such as article 98 of the United Nations Convention on the Law of the Sea and the International Convention for the Safety of Life at Sea, must be strictly adhered to.

The entry into force later this year of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks is a very welcome and long-awaited event.

It is Norway's hope that in the years ahead the Agreement will guide the establishment of regional fisheries management organizations or an arrangement in hitherto unmanaged areas of the high seas. Equally, all existing organizations and arrangements should ensure that their regulations and practices are in line with the Agreement. We urge States that have not yet done so to ratify and implement the Agreement as soon as possible. For those States that are not able to do so at this stage, we suggest applying it provisionally. The Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas is closely related to the Fish Stocks Agreement, and its entry into force will equally contribute to the completion of the international fisheries agenda.

While significant work has been done towards sustainable fisheries management, particularly within

the Food and Agriculture Organization of the United Nations (FAO), unauthorized and illegal, unreported and unregulated fishing continues to be a serious problem both in zones of national jurisdiction and on the high seas. Developing States and small island developing States lacking surveillance and enforcement capacity are most harshly affected. The FAO Code of Conduct for Responsible Fisheries and the FAO International Plans of Action seek to address these issues on a practical level. FAO and other specialized agencies involved will depend on our support both in terms of donor contributions and otherwise for the effective continuation of these efforts.

The Acting President (*spoke in Spanish*): I call on the representative of Nauru, who will speak on behalf of the Pacific Islands Forum Group.

Mr. Clodumar (Nauru): I have the honour to make this statement on behalf of the member States of the Pacific Islands Forum which are represented in New York: Australia, Fiji, Marshall Islands, the Federated States of Micronesia, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Nauru.

The oceans provide the link between our many diverse cultures and, at the same time, are the reason for the disadvantages faced by our nations. As some of the world's smallest States, our place in the world's largest ocean cannot but define us as "big ocean developing States" and poses corresponding challenges. The future of the oceans cannot be separated from our future and very survival. The development of the oceans provides the basis for our development. The protection of their resources and environment protects the health of our nations and our people. We are gravely conscious, therefore, of our role as custodians of our ocean spaces and the particular rights and responsibilities we hold over the areas of our exclusive economic zones, which together amount to more than 30 million square kilometres of ocean space.

We therefore remain concerned as we see our oceans and seas continue to be polluted, overfished and overexploited. We continue to deplore the destruction and degradation of our world's marine spaces. It is deeply disappointing that despite all the efforts and developments of recent times, the state of our oceans remains precarious.

This situation should not be of concern only to coastal States such as our own. The problems of ocean

spaces are interrelated. Every use of the ocean has an impact, and every State carries a responsibility. We must work together to bring together all the complex and interrelated aspects of oceans governance in the interest of us all.

In light of that, the countries of the Pacific Islands Forum consider significant the General Assembly's annual review of developments in ocean affairs and the law of the sea. Although the legal foundations for an integrated approach to oceans governance are sound and well established in the landmark United Nations Convention on the Law of the Sea, the challenges of implementation and coordination remain real. We consider it important to take time to consider the many aspects of oceans and the law of the sea — to look across sectors, institutions and actors and obtain an assessment of what is being done well, what can be done better and what is not yet being done at all. We need to be able to take a holistic view of the overlaps and gaps, so as to improve the capacity of the international system to respond to issues before it.

We see the Open-ended Informal Consultative Process on oceans issues, which was recently established by the General Assembly, as a critical first step towards such an integrated approach. The Pacific Islands Forum supported the development of that Process and has worked actively and constructively within it. In fact, one of the Co-Chairs of the Consultative Process for its first two meetings came from a member of our group. We continue to support this Process, which provides an opportunity to further inform States, institutions and other actors and which lays the groundwork for the role of the General Assembly under this item.

This year, the Consultative Process focused on a number of themes, and it is appropriate that we address them briefly in our debate. We were pleased with the willingness of participants to grapple with two different, yet equally difficult, issues facing ocean users: piracy and marine scientific research.

Although the very word "pirate" may conjure up visions of times past, the problem remains very real today, particularly in our broader Asia-Pacific region. There is no doubt that combating piracy requires cooperation on all levels and among all relevant actors. The solution to piracy is found not only in traditional concepts of jurisdiction but also in technical coordination among law enforcement agencies and in

cooperation among all relevant parties, including business and other actors. We must be prepared to work to find a modern solution to this ancient crime.

The issue of marine scientific research, although it may not represent such a threat to the safety of the oceans, also requires a cooperative approach. The countries of the Pacific Islands Forum Group welcome such an approach in order to develop their capacity and enhance their knowledge of the oceans and seas. The consent regime established under the Convention provides a balance between the interests of coastal States and the broader public interest in improving knowledge and understanding of how the oceans operate. However, such knowledge is of greatest benefit when it is made widely available and is conveyed in a form that is understandable, so that it may truly inform those taking decisions over the use of ocean space. Likewise, the Convention makes provisions for the contribution of science to the sustainable development of the oceans and its resources.

We are pleased, in consideration of these issues, to have seen a particular effort to respond to the particular difficulties of developing States, particularly small island developing States, like so many of the members of our group.

There is no doubt that, at present, such States are hampered in their capacity to implement many of their obligations or to take advantage of their rights. A particular example of this was seen in respect of the requirement under the Convention for States to submit the coordinates of the limits of their outer continental shelves within a 10-year time frame. The implications of that requirement for States such as ours were enormous, and the expectations unrealistic. We welcome, therefore, the decision by the States parties to the Convention to extend the time frame for those States that had demonstrated their commitment to the Convention by early ratification. This represented a true example of a cooperative solution that provided meaningful assistance for developing States while recognizing all of the many balancing considerations.

However useful such assistance or short-term solutions may be, though, there is no doubt that the true solution lies in capacity-building, so that developing States may themselves develop the necessary personnel and technical capability to give effect to all aspects of their rights and responsibilities.

We consider that this issue remains ripe for intersectoral consideration, with a view to enhancing existing international efforts and coordinating approaches among States and the many international organizations with responsibilities in this regard.

In considering the work done this year, we should not lose sight of the concerns that we have addressed in the past, many of which remain current. It is with disappointment that we again see references in the Secretary-General's report to the continuing degradation of the marine environment due to both shipping activities and land-based sources of pollution. Efforts to address these problems and reverse the current trends must continue to be given priority and must be implemented in an integrated, intersectoral and interdisciplinary way.

As guardians of rich marine life, our countries are also increasingly concerned about the problems facing the conservation and management of our world's fish stocks. Even as stocks continue to decline, fishing capacity continues to increase. As a result, fishing activity continues in an unsustainable manner in many parts of the world.

The Pacific Island Forum Group therefore warmly welcomes the fact that the framework instrument for the management of highly migratory and straddling fish stocks is now poised to enter into force. The implementing Agreement on the Conservation and Management of Straddling and Highly Migratory Fish Stocks sets out the blueprint for a new and effective approach to the management of these valuable resources. The Pacific Islands Forum Group was active throughout the negotiations of that Agreement, and 10 of the 30 States that have ratified the Agreement are members of the Pacific Island Forum. It is with pride and pleasure, therefore, that we congratulate another small island State, Malta, on being the thirtieth State to become party to the Agreement, triggering its entry into force. In the same spirit, we humbly invite Member States and entities that have not done so to ratify or accede to this Agreement.

Although the Agreement will enter into force next month, the Pacific Island Forum Group is pleased to note that it has already been relied upon as the template for a key regional fisheries Convention in the Pacific — the Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific. This Convention, which

was finalized last year, will provide a framework for cooperative sustainable management of the fisheries resources, which are so critical to the future of many members of the Pacific Islands Forum Group.

More and more fishing is conducted illegally, or in an unregulated way, or remains unreported. Such activity amounts, in some cases, to theft of the resources of coastal States. It defeats cooperative efforts to manage fish stocks in a sustainable manner. Vessels continue to be able to reflag with impunity and so evade sanctions for illegal fishing activity. The solution to these problems rests with all States: coastal States, flag States, fishing States, port States and market States. The Pacific Island Forum Group therefore welcomes the adoption by the Food and Agriculture Organization (FAO), in February 2001, of the International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing. That Plan calls on all States to take all possible steps to address illegal, unreported and unregulated fishing. If implemented effectively, the International Plan of Action will greatly assist efforts to combat this scourge. We echo the draft resolutions under this item which urge all States to implement the International Plan of Action as a matter of priority.

In closing, I would like to thank the coordinators of the two draft resolutions before us today: draft resolution A/56/L.17, on oceans and the law of the sea, and draft resolution A/56/L.18, on the Agreement relating to the Conservation and Management of Straddling and Highly Migratory Fish Stocks. The texts before us represent a careful and well-negotiated balance, and they provide a useful blueprint to Member States and to organizations within the United Nations system for their future approach to the issues of oceans and seas. We are happy to lend our support to them.

Mr. Boisson (Monaco) (*spoke in French*): The consideration of the question of oceans and the law of the sea has taken on increasing importance. The quality of the work of the second meeting of the Informal Consultative Process on Oceans and the Law of the Sea is therefore highly relevant.

The draft resolution that has been submitted to us, and which my delegation has the honour of co-sponsoring, reflects this development. The new structure that has been adopted and the presentation in chapters of the operative paragraphs is very timely and most welcome.

Accordingly, I wish to congratulate the coordinators of the draft resolution, Mr. Marcel Biato of Brazil and Mr. Julian Vassallo of Malta. I should like also to congratulate all of the efficient and competent staff of the Division for Ocean Affairs and the Law of the Sea, and, first and foremost, the Director of the Division, Mrs. Annick de Marffy. Each year the report of the Secretary-General is increasingly complete as a result of their tireless and dedicated work.

This past year has been characterized by many developments in ocean affairs. Among the various themes of the draft resolution, I should like to focus more specifically on a few that are of particular interest to the Government of the Principality.

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 — the so-called New York Agreement — will enter into force on 11 December.

The Principality of Monaco, which signed this Agreement in 1999, welcomes this development.

The adoption by the Food and Agriculture Organization of the United Nations (FAO) Committee on Fisheries of the International Action Plan to Prevent, Deter and Eliminate Illegal, Unregulated and Unreported Fishing is also very important.

The Principality of Monaco, which was already participating in the work of the General Fisheries Commission for the Mediterranean, became a fully fledged member of the FAO on 2 November last. This decision attests to the commitment of the highest authorities of Monaco to issues relating to sustainable development. In this context, the protection of the marine environment and of its resources, their conservation and the issue of food safety are, therefore, of a priority nature.

I should also like to point out that the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area entered into force in June 2001. The first meeting of the parties will take place in Monaco from 28 February to 2 March 2002.

From 24 to 28 September, the Principality of Monaco hosted the thirty-sixth Congress of the

International Commission for the Scientific Exploration of the Mediterranean Sea (CIESM). That Commission, which has its headquarters in the Principality, brings together research scientists from 22 Mediterranean States to work in close cooperation, thereby allowing them to provide the competent authorities with information necessary for the formulation of policies to protect the marine environment. Some 500 specialized institutions and 2,500 researchers regularly participate in the work of the scientific committees.

During the Congress, 550 researchers from all of the countries of the Mediterranean basin, as well as from the United States of America and Scandinavia, studied, *inter alia*, ocean/atmosphere interactions; submarine mud volcanoes; sea-level changes; the spatial cartography of coastal zones; marine microbial productivity; and species invasion in the Mediterranean. In order to provide for the widest possible dissemination of this scientific data, the reports of these experts have been made available for consultation on the CIESM web site.

The Twelfth Meeting of the Contracting Parties to the Barcelona Convention for the Protection of the Mediterranean Sea against Pollution was convened in the Principality of Monaco from 14 to 17 November. It was preceded by an extraordinary two-day meeting of the Mediterranean Commission on Sustainable Development.

Those meetings made it possible to focus on the considerable progress made in improving the Mediterranean environment and the living conditions of the people of the Mediterranean basin, as well as the importance of integrating environmental concerns into policies for sustainable development.

In the Mediterranean, the strategic action programme approved in 1997 identifies in particular the main sources of pollution, as well as measures to remedy the problem, the cost involved and a timetable for the implementation of such measures.

Progress has been made in the area of urban pollution, in that 55 per cent of coastal towns already have waste water treatment plants, and with regard to emissions from large factories. Small and medium-sized industries, however, continue to pose a problem. The management of coastal areas must be further rationalized in order to contain rapid urbanization, with

its resultant high population density, as well as the increase in tourism and water consumption.

The Protocol concerning Specially Protected Areas and Biological Diversity in the Mediterranean is the only new Protocol to the Barcelona Convention, — which was amended in 1995 — to have entered into force. Among the specially protected areas of importance to the Mediterranean, the Mediterranean sanctuary for marine mammals is the only such international area, and involves France, Italy and Monaco.

During the Meeting of the Contracting Parties, preparations were also made for the World Summit on Sustainable Development, to be held in Johannesburg in September 2002, during which the parties will present a draft Mediterranean declaration. In this context, preparatory work on the Summit began on Monday in Montreal, and Monaco is participating actively in the discussions, which are of the greatest importance to the Government of the Principality.

We hope that the report drawn up, at the request of the United Nations Environment Programme (UNEP), by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, will enable environment ministers, who are meeting to undertake an initial examination of progress made since the adoption of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities, to adopt concrete measures to reduce the dumping of waste water.

At its thirty-first session on 2 November, the General Conference of the United Nations Educational, Scientific and Cultural Organization adopted the Convention on the Protection of the Underwater Cultural Heritage. The adoption of that instrument and its annex was the outcome of four years of work in the committee of experts. Filling a legal void, the provisions of the Convention will provide protection against the plundering and destruction of ancient shipwrecks and archaeological sites that have been under water for at least 100 years.

The underwater cultural heritage will thus be subject to the same ethical and scientific regulations as apply to the archaeological heritage. The Convention rounds out the provisions of the United Nations Convention on the Law of the Sea, which makes no specific provision for the protection of the underwater cultural heritage. As stipulated in article 3, the

Convention should be interpreted and applied in compliance with international law and the provisions of the Montego Bay Convention. My delegation is thus very pleased to welcome the adoption of that instrument.

In a few days' time, the General Assembly will adopt a draft resolution recommended by the Legal Committee granting observer status in the General Assembly to the International Hydrographic Organization (IHO). Its status as an observer will enable that technical intergovernmental organization to strengthen its links with the competent international organizations and interested Member States, as it is invited to do in the draft resolution on oceans and the law of the sea, in order to enhance the hydrographic capability of Member States to ensure the safety of navigation and the protection of the marine environment.

I would like to take this opportunity to pay tribute to Rear Admiral Angrisano, who, as President of the Directing Committee of the International Hydrographic Bureau, has worked tirelessly to keep us informed about the IHO and given new impetus to its activities, an account of which he personally presented during the most recent Informal Consultative Process meeting.

In December, the Principality will host an expert working group from the Institute of Marine Economic Law with the aim of continuing work on a draft convention on pleasure navigation in the Mediterranean. Representatives of the International Maritime Organization and the United Nations are invited to participate in these discussions. The draft convention is designed to harmonize legislation relating to an activity that is constantly growing and to enhance cooperation between the States involved in that semi-enclosed sea, whose equilibrium is fragile. The initiative will, of course, take into account the role played by tourism in sustainable development.

Next year, the General Assembly will devote its meetings on 9 and 10 December to commemorating the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea. The strengthening of capacities and coordination and cooperation between the various conventions, institutions and agencies must be a matter of priority if we wish to ensure the integrated management of all the problems relating to the seas and oceans.

The regional approach, in this context, should be given priority. In any case, this is the desire of the Government of the Principality, which is inspired and supported by what has already been done successfully in the Mediterranean.

Mr. Singh (India): My delegation welcomes the comprehensive and informative reports of the Secretary-General on matters relating to the law of the sea and ocean affairs. We are also pleased to co-sponsor the draft resolution on oceans and the law of the sea.

The United Nations Convention on the Law of the Sea, of 1982, sets out the legal framework within which all activities in the oceans and seas must be carried out. Accordingly, the need for its universal acceptance cannot be overemphasized, and we welcome the steady increase in the number of States parties.

The International Seabed Authority has adopted the Regulations on prospecting, exploration for polymetallic nodules in the Area — part of the Seabed Mining Code — and has issued six contracts to the pioneer investors. As a registered pioneer investor, India will also be signing the contract with the Secretary-General of the Authority very soon. The Authority has now taken up for consideration the question of prospecting and exploration for polymetallic sulphides and cobalt-rich crusts in the international seabed area. At its last session, the Authority also elected 15 members of its Finance Committee and 24 members of its Legal and Technical Commission for five-year terms beginning in 2002. India was re-elected to membership of both these bodies.

With the adoption of its Scientific and Technical Guidelines, the Commission on the Limits of the Continental Shelf is now ready to accept submissions from coastal States on the extent of their continental shelves, and also to provide scientific and technical advice to States in preparing their submissions. We welcome the decision of the Eleventh Meeting of States Parties on extension of the 10-year time limit for filing submissions before the Commission, which period will now be considered to have commenced on 13 May 1999 — that is, the date on which the Commission adopted its Scientific and Technical Guidelines. This decision will be particularly helpful for those countries which were facing difficulties in complying with the

time limits in view of their limited technical expertise and lack of resources. As a State eligible for a continental shelf extending beyond 200 miles under article 76 of the Convention, India is evaluating the data already available and is undertaking further necessary surveys in preparation for making its submission to the Commission.

The International Tribunal for the Law of the Sea has become a functioning judicial institution in the short span of five years since its establishment and, as noted by the Secretary-General, has “already built a reputation among international lawyers as a modern court that can respond quickly” (SPLOS/63, para. 55). The Tribunal has already delivered judgements and orders in eight cases, which dealt with a variety of issues, involving the prompt release of vessels and crews; the prescription of legally binding provisional measures; and procedural and substantive issues relating to the registration of vessels, the genuine link principle, exhaustion of local remedies, hot pursuit, use of force and reparations. In all of these matters, the Tribunal was able to deliver its judgements very expeditiously. The Tribunal currently has pending before it the first case concerning a dispute between a State and an international organization. The publications of the Tribunal, including the basic texts, reports of judgements and orders, and pleadings, are very useful in disseminating information about the Tribunal and its functioning.

My delegation attaches the highest importance to the strengthening and effective functioning of the institutions that have recently been established under the United Nations Convention on the Law of the Sea. We will continue to extend our full cooperation and to participate actively and constructively in all activities pertaining to the Convention and related agreements.

It is a matter of concern that several member States, as well as States whose provisional membership has expired, continue to be in arrears on their contributions. It is essential that all member States pay their assessed contributions in full, on time and without conditions.

It is also a matter of serious concern that, as noted in the report of the Secretary-General, efforts to improve the conservation and management of the world's fisheries have been faced with the increase in illegal, unregulated and unreported fishing activities on the high seas, in contravention of conservation and

management measures adopted by regional fisheries organizations and arrangements, and in areas under national jurisdiction in violation of the coastal States' sovereign rights to conserve and manage their marine living resources.

The seriousness of the problem of illegal, unregulated and unreported fishing has also been addressed by the International Tribunal for the Law of the Sea in two cases involving applications for prompt release of vessels alleged to have fished illegally in the exclusive economic zone of a coastal State. The Tribunal took note of “the gravity of the alleged offences” (A/56/58, para. 271) as well as “the general context of unlawful fishing in the region” (ibid.) as factors to be considered in assessing the reasonableness of bonds or other financial security.

As a member of the Indian Ocean Tuna Commission and the Western Indian Ocean Tuna Organization, India is cooperating with other States in conservation and management measures for the fishery resources of the Indian Ocean region, in accordance with the United Nations Convention on the Law of the Sea. We welcome the imminent entry into force of 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, of 1995, which has now received the required 30 ratifications and accessions.

The International Plan of Action adopted by the Food and Agriculture Organization of the United Nations (FAO) Committee on Fisheries to address the phenomenon of illegal, unregulated and unreported fishing reaffirms the duties of flag States provided for under existing international instruments. In addition, the Plan of Action provides for the right of port States to conduct investigations and to request information of foreign fishing vessels calling at their ports or offshore terminals, and to deny access to its port facilities if it has reasonable grounds to believe that the vessel is engaged in illegal, unregulated and unreported fishing. We hope that the effective implementation of the 1995 Agreement and the FAO Plan of Action will help in reversing the trend of overfishing in many areas and will guarantee the enforcement of the rights of developing coastal States. Developing countries must also be provided the necessary technical and financial support for capacity-building for development of their fisheries.

A better understanding of the oceans through application of marine science and technology and a more effective interface between scientific knowledge and decision-making are central to the sustainable use and management of the oceans. Marine scientific research can lead to better understanding and utilization of almost every aspect of the oceans and their resources, including fisheries, marine pollution and coastal zone management. Accordingly, it is vital that developing countries have access to and share in the benefits of scientific knowledge on the oceans. Parts XIII and XIV of the Convention, relating to marine scientific research and transfer of marine technology, respectively, are of fundamental importance and need to be implemented fully.

Scientific research in the maritime zones of a coastal State should, as provided in part XIII, be conducted only with the prior approval and participation of the coastal States. Developing countries also need to be provided with the necessary assistance for capacity-building, as well as for the development of information and skills to manage the oceans for their economic development.

The increasing acts of piracy and armed robbery against ships represent a serious threat to the lives of seafarers, the safety of navigation, the marine environment and the security of coastal States, as well as impacting negatively on the entire maritime transport industry, leading to higher costs and even the suspension of shipping services to high-risk areas. We fully support the efforts of the International Maritime Organization (IMO), which is presently considering a code of practice for the investigation of the crime of piracy and armed robbery against ships and a draft resolution on measures to prevent the registration of phantom ships. We also support IMO's efforts at promoting regional cooperation to address this problem and have participated in many meetings and seminars organized by IMO for enhancing the implementation of its guidelines on preventing such attacks.

The main problem areas identified by IMO include resource constraints on law enforcement

agencies, lack of communication and cooperation between the agencies involved and lack of regional cooperation, apart from the problems posed by prosecution and investigation. All these constraints need to be urgently and effectively addressed by giving higher national and international priority to efforts to eradicate these crimes. It may be noted that it was the prompt exchange of information and regional cooperation which resulted in the recovery of the hijacked vessel *Alondra Rainbow* by the Indian Coast Guard authorities in October 1999, despite attempts to conceal the identity of the vessel by painting new names over the original name, and the persons involved are presently undergoing trial in India.

The United Nations Convention on the Law of the Sea recognizes that the problems of ocean space are closely interrelated and need to be considered as a whole. International cooperation and coordination are the most effective means of implementing this fundamental principle. Accordingly, the need for coordinated efforts at the national, regional and international levels to make the most effective use of available resources and to avoid duplication and overlaps, as well as international cooperation for capacity-building in the developing countries, enhancing their resources and strengthening their means of implementation through the transfer of environmentally sound technologies, cannot be overemphasized.

With a view to promoting such coordination and cooperation at both the intergovernmental and inter-agency levels and to facilitating its annual review of ocean affairs in an effective and constructive manner, the General Assembly, through its resolution 54/33, established the Open-ended Informal Consultative Process, which has held two meetings and has had in-depth discussions on a number of topics. The effectiveness and utility of the Informal Consultative Process is to be reviewed at the fifty-seventh session of the General Assembly. My delegation looks forward to participating in and contributing to this review.

The meeting rose at 6.20 p.m.