



General Assembly

Sixty-seventh session

52nd plenary meeting
Tuesday, 11 December 2012, 3 p.m.
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Official Records

President: Mr. Jeremić (Serbia)

In the absence of the President, Mr. Charles (Trinidad and Tobago), Vice-President, took the Chair.

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

Agenda item 75 (continued)

(a) Oceans and the law of the sea

Reports of the Secretary-General (A/67/79, A/67/79/Corr.1, A/67/79/Add.1 and Add.2)

Report on the work of the Ad Hoc Working Group of the Whole (A/67/87)

Draft resolution (A/67/L.21)

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

Report of the Secretary-General (A/67/315)

Draft resolution (A/67/L.22)

Mr. Salam (Egypt): At the outset, Egypt expresses its appreciation to the Secretary-General and the Secretariat's Division for Ocean Affairs and the Law of the Sea for preparing the reports related to the status of oceans and seas (A/67/79, A/67/79/Corr.1, A/69/79 Add.1 and Add.2) and to sustainable fisheries (A/67/315).

Despite the extensive efforts of the United Nations to address the challenges regarding the state of the oceans and seas, considerable challenges remain, as human activities are taking a continuing toll on the viability of marine ecosystems. Marine pollution is still a major concern. The high number of offshore drilling incidents and leakages indicates that the marine environment is highly vulnerable to pollution resulting from accidents linked to activities at sea.

Egypt emphasizes the need to further enhance efforts and programmes seeking to tackle the threats caused by higher sea temperatures, sea-level rise caused by climate change and ocean acidification to marine life, coastal and island communities and national economies. At the core of those efforts lies the need to build the capacity of States to implement relevant international instruments, particularly through channelling additional funding to support efforts to mitigate and adapt to the adverse effects of climate change.

We further emphasize the importance of work at the international level to strengthen and develop the field of marine scientific research, particularly in the context of the International Seabed Authority, and the study of the effects of mining activities on the marine environment at sea bottom.

Additional progress is needed in resolving disputes concerning maritime boundary delimitation, in particular those with a potential to become sources of tension and conflict. The United Nations Convention on the Law of the Sea (UNCLOS) provides a sound

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basis for such situations, and Member States should avail themselves to the fullest extent possible of the international judicial bodies such as the International Tribunal for the Law of the Sea and the International Court of Justice.

Turning to maritime security, Egypt notes with great relief the reduction in reported incidents of piracy and armed robbery against ships off the coasts of Somalia during the first six months of 2012, in comparison with past years. The reduction in such attacks could be partially attributed to a number of factors, such as the application of best management practices by the shipping industry and a continuing naval presence. However, such international efforts have so far dealt with only one part of the problem, as the focus is on combating acts of piracy at sea instead of directing greater attention to the fundamental underlying causes on the mainland. Egypt has warned against a partial approach and has always emphasized, particularly through its participation in the Contact Group on Piracy off the Coast of Somalia and its chairmanship of the Working Group on Electronic Commerce, the importance of adopting a comprehensive approach that takes into account the root causes of the problem and addresses its political, security, economic and humanitarian dimensions in Somalia.

Moreover, we also express our continued concern about the incidents of piracy and armed robbery against ships in the Gulf of Guinea, off West Africa, and the adverse effects that such incidents have on African maritime trade. We call on the international community to give due attention to that issue.

As for sustainable fisheries, Egypt emphasizes the need for more efforts to protect endangered fish species, fight illegal, unreported and unregulated fishing, and refrain from destructive fishing practices on the seabed.

Egypt reaffirms that the States parties to the 1995 Fisheries Agreement should review its provisions to take into consideration the reservations by non-parties, especially developing countries, including those provisions relating to boarding and searching fishing vessels. That would enable the latter group of countries to become parties and to enhance cooperation in order to protect sustainable fisheries and to work for their development.

As this year marks the thirtieth anniversary of the opening for signature of UNCLOS, Egypt reiterates

its conviction as to the overarching significance of the Convention in the strengthening of international peace and security, international cooperation and the sustainable development of the oceans and seas.

Mr. De Vega (Philippines): The Philippines welcomes and is greatly encouraged by the importance that the General Assembly continues to give to the issue of oceans and the law of the sea. This meeting, held immediately following our commemoration of the thirtieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea, highlights the importance of the Convention.

We note with appreciation the report of the Secretary-General on oceans and the law of the sea, contained in documents A/67/79, A/67/79/Corr.1, A/67/79Add.1 and Add.2, as well as the report on the work of the Ad Hoc Working Group of the Whole, contained in document A/67/87. Those documents present the various efforts and the latest developments relating to oceans and the law of the sea in a comprehensive and detailed manner.

This session's draft resolution on oceans and the law of the sea (A/67/L.21), which we will consider today, is a testament to the continued interest and value placed by Member States in the sustainable use of oceans and their resources, anchored on the rule of law.

The United Nations Convention on the Law of the Sea is heralded as the constitution of the oceans, in that it establishes the legal framework governing all aspects of ocean use and development. It establishes a legal order that guarantees and safeguards not only the exercise of those rights but, just as important, compliance with obligations. In a world of competing interests and of nations with varying degrees of political, economic or military stature, that legal framework is not just important but absolutely necessary. It gives nations an equal voice and provides nations an equal legal footing.

As an archipelago and a maritime nation that relies on the oceans for its continued development, the Philippines attaches the utmost importance to a just, orderly and meaningful legal regime for our seas and oceans. We note the continuing development of international law as it relates to ocean use and jurisdiction, through the decisions of the International Tribunal on the Law of the Sea. We await with keen interest the decisions of the Commission on the Limits of the Continental Shelf and the International Seabed Authority. We note the recent relevant decisions of the International Court of Justice. We likewise look

forward to next year's Meeting of States Parties to the United Nations Convention on the Law of the Sea, as it holds promise for a meaningful discussion on law of the sea issues involving States parties and observers alike.

The Secretary-General's report highlights the increasing cooperative activities, cross-cutting in all regions and sectors from marine scientific research and marine environmental protection to search-and-rescue at sea and combating piracy and other maritime crimes. That is clear evidence that States parties are conscious of the governing principle expressed in the Convention that the problems of ocean space are closely interrelated and need to be considered as a whole.

Despite all efforts at cooperation, however, problems still exist in many areas. Marine pollution and destructive fishing methods continue to threaten the fragile ocean environment. Piracy remains a threat to the safety of navigation, and other maritime crimes continue to threaten our security. All nations are continually challenged by the oceans and even by the application and development of international norms and conventions governing its uses and the management of its resources and environment.

The Philippines welcomes the fact that in this year's omnibus draft resolution on oceans and the law of the sea (A/67/L.21), attention is once again drawn to the impact of piracy on the safety and welfare of seafarers. Indeed, piracy is a menace to the world. It disrupts global trade and poses genuine security threats. It has a direct impact on the lives of seafarers and their families. The Philippines, with an estimated 350,000 sailors, accounts for nearly a quarter of the world's seafarers. We know full well how each incident of piracy cuts through the lives of every seafarer and his family. We welcome the attention given to capacity-building with regard to the safety and security of seafarers.

The Philippines also welcomes the developments on the marine environment and marine resources reflected in Section X of the draft resolution. It also gives attention to the outcomes of the United Nations Conference on Sustainable Development in "The future we want" (resolution 66/288, annex), particularly to the concern that the health of the oceans and marine biodiversity are negatively affected by marine pollution from a number of marine and land-based resources. International marine scientists have widely regarded the Philippines' waters as a centre of global marine biodiversity. It is in everyone's interests that such diversity be protected from those who ignore their

responsibilities, to the detriment of our generation and posterity.

As the Secretary-General points out in his report (A/67/79), the importance of marine biodiversity, including in areas beyond national jurisdiction, for global food security and for healthy, functioning marine ecosystems, economic prosperity and sustainable livelihoods cannot be overstated. We welcome the first meeting of the Ad Hoc Open-ended Informal Working Group, convened in May in accordance with paragraph 168 of resolution 66/231, with a view to ensuring that the legal framework for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction effectively addresses these issues.

The Philippines notes that certain advances have been made on key issues and concerns in today's draft resolution, and wishes to highlight the continued importance of its Section V, on the peaceful settlement of disputes. UNCLOS has never been more important than today for developing countries such as our own, when overlapping maritime claims in our part of the world threaten us as never before. It provides a proper and proven mechanism for peacefully resolving such claims so as to ensure global and regional peace and cooperation and stability in the just and sustainable use of marine natural resources. We believe that the rules-based approach in UNCLOS is the way forward in addressing maritime disputes, including in our own region.

The theme of our session this year is the adjustment or settlement of international disputes by peaceful means. This year we also commemorate the thirtieth anniversary of the Manila Declaration on the Peaceful Settlement of International Disputes. Against this backdrop, we are afforded a singular opportunity to renew our pledge and demonstrate our commitment to abide by our obligations as responsible members of the international community. It is on that demonstration of commitment to the rule of law that the success of the Convention rests. On that demonstration of commitment to the rule of law rests the success of all our efforts to secure for ourselves and posterity the benefits derived from the responsible use of our world's oceans.

Before concluding, I would like to express our appreciation for the statement made in the 51st meeting by the Permanent Representative of Palau on behalf of the Pacific Islands Forum, which mentioned the effects of climate change and related issues, such as sea-level rise. We saw such effects in Typhoon Bopha, which

struck my country recently, causing great loss of life and property. Indeed, ocean experts and experts on the law of the sea should definitely consider this issue as something that needs to be addressed.

As a country that has a keen interest in the oceans and their resources, the Philippines once again expresses its commitment to being a constructive and active partner in this draft resolution, fully aware of the promise it holds for the maintenance of legal order on the oceans and for our responsibility and duty to ensure that we comply with it.

Ms. Prince (United States of America): My delegation has the honour to co-sponsor the draft resolutions on oceans and the law of the sea (A/67/L.21) and on sustainable fisheries (A/67/L.22).

As the host country, we were pleased to participate in yesterday's commemoration of the thirtieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea, and we are pleased to have the floor today to discuss related matters: the annual draft resolutions on oceans and the law of the sea and on sustainable fisheries.

As the world community recognized in Rio this past summer, oceans, seas and coastal areas form an integrated and essential component of the Earth's ecosystem and are critical to sustaining it. In fact, healthy oceans and coasts, and their resources, are necessary for global prosperity. International law, as reflected in the Convention on the Law of the Sea, provides the legal framework for the conservation and sustainable use of the oceans and their resources. The annual General Assembly resolutions on oceans and fisheries that we are debating today serve as important opportunities for the global community to identify key marine-related issues and develop constructive ways forward to address them.

We would like to highlight two aspects of this year's draft resolution on oceans.

First, we are very pleased that the draft resolution reflects the many important oceans commitments in the outcome document of the United Nations Conference on Sustainable Development, "The future we want" (resolution 66/288, annex). We believe those commitments demonstrate the importance of the oceans and their resources for sustainable development.

In particular, we look forward to further work on initiatives to address ocean acidification, including

the International Atomic Energy Agency's new Ocean Acidification International Coordination Centre, in Monaco. We believe it is critical to increasing international collaboration on ocean acidification research, monitoring and observation, particularly with regard to the effects of acidification on shell-forming organisms, marine biodiversity and food security. That new Coordination Centre will serve as an important means to develop a more comprehensive understanding of the global effects of ocean acidification. Also in that regard, we were very pleased by the selection of the topic of the impacts of ocean acidification on the marine environment for next year's United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. We look forward to fruitful exchanges on this important matter in that forum.

The second important aspect of this year's ocean resolution that we wish to highlight relates to progress towards the highly anticipated publication of the first global integrated marine assessment, or the world ocean assessment, under the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socio-economic Aspects. The Regular Process was established at the 2002 World Summit on Sustainable Development in Johannesburg. It is an initiative we have all endorsed, through the General Assembly, as a means to improve our understanding of the oceans and the efficacy of the decisions we make to conserve and manage its resources. We were pleased to host, last month, a very successful world oceans assessment workshop for the wider Caribbean.

We recognize and appreciate the hard work and dedication of the Group of Experts of the Regular Process. We look forward to working with all of our partners to establish a robust pool of experts from around the globe to write and review that ground-breaking report on the state of the oceans by 2014.

We would also like to highlight two key aspects in this year's draft resolution on sustainable fisheries (A/67/L.22).

First, we are pleased that it reflects the many important commitments with regard to fisheries, conservation and management in the outcome document of the United Nations Conference on Sustainable Development, "The future we want" (resolution 66/288, annex). We believe those commitments demonstrate the importance of sustainable fisheries resources for small-scale fisherfolk and women fish workers,

indigenous peoples, developing countries and small island developing States. In addition, they illustrate the importance for the international community of working collaboratively to eliminate illegal, unreported and unregulated fishing, to ensure transparency and accountability in fisheries management by regional fisheries management organizations, and to enhance protection of vulnerable marine ecosystems from significant adverse impacts.

For several years, the sustainable fisheries resolutions have urged States to ensure the conservation and management of sharks and their long-term sustainable use. Therefore, the second important aspect of the draft resolution that we wish to highlight is that it notes with satisfaction the adoption of the Conservation Plan for the Memorandum of Understanding on the Conservation of Migratory Sharks, under the Convention on Migratory Species of Wild Animals. The United States places significant importance on that development and very much welcomes the recognition by the General Assembly of the important action taken by the signatories to that agreement.

The United States would like to thank Director Sergey Tarasenko and the staff of the Division for Ocean Affairs and the Law of the Sea for their expertise and support on both resolutions. We would also like to thank Ambassador Eden Charles of Trinidad and Tobago for his coordination of the oceans draft resolution and Ms. Alice Revell of New Zealand for her coordination of the fisheries draft resolution. Both did an outstanding job.

Finally, I would like to conclude by expressing appreciation for delegations' hard work and cooperation in crafting both resolutions. It is our hope that that spirit of cooperation will characterize our efforts to address the numerous and complex issues that lie ahead in the new year.

Mr. Le Hoai Trung (Viet Nam): Viet Nam joins other delegations in commending the outstanding developments in the management and utilization of the oceans and seas in the framework of the United Nations Convention on the Law of the Sea (UNCLOS) in various parts of the world. In full acknowledgement of the critical role of the oceans and seas in providing global food security and sustaining economic prosperity and the well-being of many nations in the world, Viet Nam supports the continued due attention of the General Assembly to the promotion of the sustainable use and development of the oceans and seas and their resources.

We would like to thank the Secretary-General for the comprehensive reports contained in documents A/67/79 and A/67/79/Add.1, which provide the Assembly with an excellent review of the developments related to ocean affairs and the law of the sea in the past year for its discussions on the agenda item.

My delegation appreciates the outcome of the hard work done in the past year by the mechanisms established by the General Assembly in connection with this item. We encourage the Assembly to consider and endorse the recommendations and outcomes of the fifth meeting of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, the thirteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, and the third meeting of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects. We also note with appreciation the achievements of the bodies established by UNCLOS, including the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf.

We gather here today to celebrate the thirtieth anniversary of the opening for signature of UNCLOS, which was undoubtedly an outstanding outcome of the progressive codification of international law of the sea. UNCLOS embodies the aspiration of the international community for a just international legal order in the oceans and has received almost universal acceptance. The constitution for the oceans, as it has been aptly termed, sets out a comprehensive legal framework within which all activities in the oceans and seas must be carried out. It constitutes the principal basis for the maintenance of peace and stability, the promotion of maritime economic development and the rational exploitation and conservation of marine natural resources and the environment in all maritime areas under or beyond national jurisdiction.

In addition, UNCLOS sets up a new mechanism of dispute settlement, which offers the States parties additional important means of peaceful solution to their disputes in relation to the interpretation and application of the Convention.

UNCLOS provides a fine balance of rights and duties of States parties. It does not allow reservations

to be made to any provision. States parties to the Convention are therefore obliged to implement it fully, in good faith and in a responsible manner. They are to respect the legitimate rights to which coastal States parties are entitled in their territorial seas, contiguous zone, exclusive economic zone and continental shelf. They are to cooperate in the development of marine scientific research, the optimum exploitation of living resources and conservation of the marine environment, and to manage the international seabed in the interest of mankind.

Viet Nam actively and constructively participated in the Third United Nations Conference on the Law of the Sea in Montego Bay, Jamaica. Viet Nam was among the 100 States to sign the Convention on 10 December 1982, immediately after its adoption. Since its ratification of UNCLOS in 1994, Viet Nam has made great efforts to implement the Convention, as shown in the report on Viet Nam's implementation of UNCLOS submitted to the Secretary-General for circulation as an official document of the sixty-seventh session of the General Assembly under agenda item 75 (a), "Oceans and the law of the sea".

Furthermore, in line with the provisions of UNCLOS and related State practices, Viet Nam adopted the Law of the Sea of Viet Nam in June. The Law is a significant legislative effort to harmonize the provisions of UNCLOS into our national law, contributing to the improvement of the national legal framework relating to the sea and the islands of Viet Nam. For the first time, we have a law of the highest legal effect under the Constitution that contains a comprehensive legal regime for Viet Nam's maritime zones and islands. The Law of the Sea of Viet Nam provides the country and foreign entities and individuals operating in the marine areas under Viet Nam's jurisdiction a fundamental legal basis for the use, management and protection of marine areas and resources, including cooperative activities with other countries on marine economic development.

As a country with 3,260 kilometres of coastline facing the South China Sea, known as the Eastern Sea in Vietnamese, Viet Nam's interest in the sea is significant. We care very dearly about the maintenance of peace and stability, including maritime security, as well as the promotion of prosperity and friendly cooperation in the South China Sea in accordance with international law, in particular UNCLOS. In that connection, Viet Nam calls on all signatory States to fully implement, and other States to support the implementation of, the 2002

Declaration on the Conduct of Parties in the South China Sea adopted by the Association of Southeast Asian Nations (ASEAN) and China and the 2012 statement of ASEAN Foreign Ministers on its Six-Point Principles on the South China Sea. Viet Nam stands ready to work towards the early conclusion of a code of conduct in the South China Sea, with a view to further promoting peace, stability and cooperation in the region.

Ms. Picco (Monaco) (*spoke in French*): "The future we want" (resolution 66/288, annex), the outcome document adopted by the United Nations Conference on Sustainable Development (Rio+20 Conference) in June, pays particular attention to issues related to the oceans, their resources and the threats facing them. In doing so, that important document highlights the vital political aspect of the General Assembly's role in its annual deliberations on oceans and the law of the sea. The statements made at the commemorative meetings held in this Hall on the thirtieth anniversary of the adoption of the United Nations Convention on the Law of the Sea recall the commitment of States to that true constitution of the oceans.

Monaco celebrated that event by hosting the colloquium "The Law of the Sea 30, Years After Montego Bay: Economic Opportunities and Environmental Challenges" last October. This year, various innovative initiatives were also submitted and implemented. The World Bank launched the Global Partnership for Oceans and submitted the Declaration for Healthy and Productive Oceans to Help Reduce Poverty to the Rio+20 Conference. The international exposition in Yeosu, Republic of Korea, under the theme of "The Living Ocean and Coast", provided the framework for the third edition of the *Monaco Blue Initiative* on the theme of "Marine Protected Areas: a win-win for biodiversity and economic development". Such areas are useful tools in combating overfishing and reconstituting fish stocks.

In a protected and regulated environment, sustainable tourism, aquaculture and development activities can be undertaken successfully without harming the environment. The Yeosu exposition also saw the launching of the Secretary-General's "Oceans Compact — Healthy Oceans for Prosperity" initiative.

Under the leadership of His Serene Highness Prince Albert II, the Principality of Monaco is continuing its long-standing commitment and redoubling its efforts to promote awareness of the need to protect oceans on account of their vital role in ensuring sustainable

development. The strategic importance of the contribution of oceans in the areas of food security, tourism, the protection of marine biodiversity and energy compels us to implement the parameters of a blue economy. It also requires that, together, we appreciate the social, economic and environmental value of the oceans and organize our cooperation in line with the realities that we all face.

To that end and in the post-2015 context, Monaco will support the defining of a sustainable development goal on the oceans, which should unify our action. Such cooperation should be established with all actors, including the private sector, and should be based on the knowledge provided by the scientific community.

We can only note that, every year, there is an increasing need to mitigate the effects of climate change, in particular ocean acidification. The issue of ocean acidification, which has appeared in the General Assembly resolution since its sixty-first session, receives increased attention this year. The Government of Monaco welcomes the establishment of the Ocean Acidification International Coordination Centre within the Environmental Laboratories of the International Atomic Energy Agency (IAEA) in Monaco. The setting up of the Centre was declared by the American authorities and the IAEA on the margins of the Rio+20 Conference.

That cooperation platform will make it possible to better understand acidification, to deepen research, to follow developments in various regions of the world that are not affected in the same way and to define solutions for the most vulnerable organisms, including crustaceans and corals.

The second International Workshop on the acidification of oceans, held in Monaco from 11 to 13 November, was devoted to the socioeconomic impact of ocean acidification on fishing and aquaculture. Fifty-five experts from 19 countries and representatives of international organizations met at the invitation of the IAEA and of the Scientific Centre of Monaco, which has been working on ocean acidification for several years.

We also welcome the fact that the Open-Ended Informal Consultative Process on Oceans and the Law of the Sea has been extended for a new period of two years and that its fourteenth meeting in June 2013 will focus on the effects of ocean acidification on the marine environment.

The Principality of Monaco supports the urgency stated in Rio of taking a decision before the end of the sixty-ninth session of the General Assembly on drawing up an international instrument on the conservation and sustainable exploitation of marine biodiversity in areas beyond national jurisdiction in the context of the United Nations Convention on the Law of the Sea.

I would like to warmly thank the representatives of Trinidad and Tobago and New Zealand, who efficiently conducted the consultations on the two draft resolutions that Monaco sponsors (A/67/L.21 and A/67/L.22). Our thanks also go to the Division for Ocean Affairs and the Law of the Sea, the specialized institutions of the United Nations and the other bodies working in the area of oceans and the law of the sea, whose work provide the basis for our annual debates.

Mr. Yamazaki (Japan): Let me first join other representatives in thanking the coordinators of the two draft resolutions (A/67/L.21 and A/67/L.22), Ambassador Eden Charles, Deputy Permanent Representative of Trinidad and Tobago, and Ms. Alice Revell, Legal Adviser of the Permanent Mission of New Zealand, for their tremendous work. I also wish to thank all Member States that have worked together in a spirit of cooperation during the informal consultations on the draft resolutions. My appreciation also goes to the United Nations Secretariat for its assistance.

With regard to agenda item 75 (a), entitled “Oceans and the law of the sea”, Japan would like to point out that it is a maritime State surrounded by water and dependent on maritime transport for nearly all imports of energy resources, including oil and minerals. The adoption of draft resolution A/67/L.21, which deals with crucial issues for the maintenance of peace and security in the world, such as the peaceful settlement of disputes, the freedom of navigation, safety at sea and compliance with international laws, including the United Nations Convention on the Law of the Sea (UNCLOS), is extremely important to maritime States, such as Japan, and to the international community as a whole. In that regard, Japan is pleased to co-sponsor that draft resolution, which is entitled “Oceans and the law of the sea”. Japan would also like to take this opportunity to welcome the accession of Ecuador and Swaziland to UNCLOS.

With respect to the International Tribunal for the Law of the Sea, Japan highly appreciates the important role played by the Tribunal in terms of the peaceful settlement of disputes, as well as the maintenance

and development of the rule of the law at sea. Japan welcomes the fact that cases have been continually submitted to the Tribunal since its establishment. Japan also welcomes the Tribunal's first maritime delimitation judgement, which was delivered in March of this year, following the first advisory opinion of the Seabed Disputes Chamber of the Tribunal, issued in February 2011, pursuant to a request by the Council of the International Seabed Authority. Japan is pleased to see that the Tribunal's work covers various fields. Japan is committed to continuing its contribution to and full support for the valuable work of the Tribunal, under the leadership of President Yanai.

With regard to the International Seabed Authority, Japan welcomes the adoption in July of the Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area, following the adoption of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area in 2000 and the Regulations for Prospecting and Exploration for Polymetallic Sulphides in the Area in 2010.

In view of the importance of ensuring a well-balanced approach between exploration and environmental protection in the Area, Japan highly values the workshops on such issues organized by the Authority. Japan has been supporting the activities undertaken by the Authority in various ways, including through the Japanese contractor for the exploration of polymetallic nodules and other relevant organizations. I would like to affirm Japan's intention to continue its support to the Authority.

With regard to the Commission on the Limits of the Continental Shelf, I wish to pay tribute to its consistent work on a total of 61 submissions, which has led to the adoption of 18 recommendations, including on the submission of Japan. In the light of the considerable number of submissions, Japan is confident that the several measures adopted by the Commission, including on the extended duration of the Commission's sessions in 2013, on the basis of decisions taken through last year's resolution under this agenda item (resolution 66/231), will help solve the Commission's workload issue.

Following its pledge at the twenty-second Meeting of States Parties to UNCLOS, held in June, Japan made an additional disbursement of approximately \$352,000 to the trust fund at the end of November for the purpose of defraying the costs of participation in its meetings

by members of the Commission from developing States. Japan firmly believes that through voluntary contributions to the trust funds by State parties and the steady implementation of the measures decided last year to solve the issue of the heavy workload of the Commission, the smooth and expeditious consideration of submissions by the Commission, to which members were newly elected in June, will be possible.

Regarding the maritime safety and security issue, piracy off the coast of Somalia and in the Gulf of Aden, which is now spreading to areas off the East Africa coast and the Indian Ocean, continues to pose a serious threat to maritime security. Japan is of the view that a multilayered approach that includes assistance to maritime enforcement capacity-building in Somalia and its neighbouring countries and other medium- to long-term efforts to strengthen stability in Somalia, in addition to operations by naval vessels, must be pursued to suppress piracy.

Japan has currently deployed escort ships and patrol aircraft to the region, and works together with other countries to deal with piracy. In addition, Japan has so far disbursed \$14.6 million and \$3.5 million, respectively, to the International Maritime Organization Djibouti Code of Conduct Trust Fund, which is a multi-donor trust fund that Japan initiated, and to the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia. Japan also continues to play a leading role within the framework of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia.

With regard to agenda item 75 (b), entitled "Sustainable fisheries", Japan would like to state that, as a responsible fishing State and a State party to UNCLOS and the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, Japan is committed to addressing the promotion of sustainable use through the conservation and management of marine living resources and the appropriate conservation of the marine ecosystem, in cooperation with the parties concerned, through bilateral fisheries agreements, the Food and Agriculture Organization of the United Nations and regional fisheries management organizations.

Japan welcomes recent developments in the management of high-seas bottom fishing, including the

conclusion of arrangements establishing new regional fisheries management organizations, which reflects earlier resolutions on sustainable fisheries, especially those adopted in 2006 and 2009. Japan will further promote the management of high-seas bottom fishing by mobilizing support for the earliest entry into force of those arrangements in cooperation with other parties and related organizations.

Before concluding, Japan wishes to express its hope that the two draft resolutions before us, which are the result of intensive negotiations among Member States in a spirit of cooperation during the informal consultations, will be duly adopted at this session of the General Assembly.

Mr. Panin (Russian Federation) (*spoke in Russian*): We speak with special feeling in today's meeting on the issue of the international law of the sea, on the occasion of the thirtieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea in 1982. We echo words spoken yesterday and today on the historic significance of the Convention and its role in ensuring effective international cooperation in the use of the world's oceans. We pay tribute to those who were present at the birth of the Convention and contributed to its drafting.

Given the number of parties to the Convention from all regions of the world, it can be said without doubt that this international treaty, encompassing all aspects of marine activity, has become a genuinely global instrument. It is important that we vigilantly maintain the integrity of the legal regime established by the Convention and the multilateral, conscientious implementation of its provisions, in the interest of stable and predictable relations among States in maritime and marine matters.

Of course, the world is changing. It is developing, and international law is also developing. Recently, we have heard ideas about expanding some provisions of the Convention. In some cases, those ideas are based on situations that actually exist, and we must not back away from making comprehensive, in-depth studies of such proposals. At the same time, however, we must refrain from taking steps that would change the Convention's time-tested norms.

We must also bear in mind that the Convention was adopted as a package decision and a multifaceted document that reflects a very delicate balance of interests. The Convention was intentionally made

flexible to ensure that it could be successfully implemented in practice over an extended period of time. Today, we can say with pride that the principles on which that universal international document is based have proved their worth. The Convention is a living and contemporary instrument of great importance to the international community.

The significance of the world's oceans for humankind continues to increase. It is highly important today to ensure the sustainability of marine activity, maritime safety, the management of marine resources, and a healthy marine environment for future generations. We stress that States themselves should play the main role in addressing problems. The scale and complexity of the problems we face in this sphere require us to focus our efforts on developing a unifying agenda. In that context, we note the understanding on marine issues that was achieved during the United Nations Conference on Sustainable Development in Rio de Janeiro in June.

The Russian Federation calls for the conservation and sustainable use of marine resources, in accordance with the Convention. At the same time, in the absence of reliable science and a solid legal basis we cannot support initiatives that may lead to the arbitrary limitation of marine activities.

We welcome the progress achieved in the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. We suggest that the Group should be the primary forum for reviewing issues of biological ocean resources. We welcome the General Assembly's decision to hold two thematic workshops in 2013 to work towards a better understanding of problems in that sphere.

The successful functioning of the bodies set up pursuant to the Convention inspires hope. States must take further measures to create favourable conditions for their work. In that regard, particular attention should be given to the Commission on the Limits of the Continental Shelf, which has a considerable workload. In our view, the Commission is fulfilling its functions very well, and we commend the measures aimed at speeding up the processing of State communications without any loss in the quality of the reviews.

We note the high quality of the work of the Division for Ocean Affairs and the Law of the Sea, under

Director Sergey Tarasenko. We believe that, given the increased workload of the Division and other relevant entities, States should offer additional support. We welcome the increasing activity of the International Tribunal for the Law of the Sea, which demonstrates the trust States place in the Tribunal as an effective instrument of international justice. We highly commend its contribution to developing jurisprudence on the law of the sea and the positive trend in its work. We hope that will continue in the future.

The Russian Federation pays particular attention to measures to conserve and manage fish resources. We welcome the increase in measures to combat illegal, unreported and unregulated fishing. We are pleased to note the consistent steps being taken to bolster controls by flag States, and the increasingly effective measures implemented by port States. The Russian Federation will continue to actively participate in measures to protect vulnerable marine ecosystems, both on its own and within the framework of relevant regional fisheries management organizations.

In conclusion, we thank Ambassador Eden Charles and Ms. Alice Revell, coordinators of the informal consultations on draft resolution A/67/L.21 on oceans and the law of the sea and draft resolution A/67/L.22 on sustainable fisheries, for their work to create consensus.

Mrs. Daniel (Nauru): At the outset, let me align my delegation with the statements delivered by the representative of Palau on behalf of the Pacific Island Forum and by the representative of Samoa on behalf of the Pacific small island developing States (see A/67/PV.51).

The topic of this meeting is an important one to Nauru. Marine and coastal resources are critical to our economy, our food security and our culture. The sustainable use of our marine resources is one of our primary tools for eradicating poverty, and we hope to ensure healthy oceans and access to their resources not only for ourselves but for future generations as well. Unfortunately, there are many challenges to that hope.

Marine, ocean, coastal and fisheries resources are the foundations of the economies of Pacific small island developing States (SIDS) and represent a critical pathway to future growth. However, current benefits to the Pacific from the utilization of those resources are inequitable, as is the conservation burden. That must change.

The capacity of developing States, including the least developed among them, and of small island developing States to participate in straddling and highly migratory fisheries has to be built or enhanced, and we must take the measures necessary for developing States participating in regional fisheries management organizations to enjoy a greater and fairer share of fishing opportunities. To that end, we look forward to the identification and mainstreaming by 2014 of strategies that will assist our people to realize the benefits of sustainable fisheries, including through improved market access. We remind all of the need to ensure access to fisheries and markets for countries like Nauru, as agreed to in the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and reiterated in draft resolution A/67/L.22, on sustainable fisheries, which we have come here to adopt.

The 2014 timeline for that work will be especially important, given the upcoming International Conference on SIDS to be held that year in the Pacific. As noted in draft resolution A/67/L.21, the omnibus text on oceans and the law of the sea, the Conference will consider, among other issues, the challenges SIDS face in the conservation and sustainable use of marine resources and in the preservation of the marine environment. We thank our neighbour Samoa for hosting that historic meeting, and we look forward to working with others to ensure its success.

We are deeply concerned by the numerous pressures being put on the oceans. One critical example is overfishing. Scientists have repeatedly stated that overfishing is one of the major threats to ocean health. Illegal, unreported and unregulated fishing further exacerbates the threat, while destructive fishing practices such as bottom trawling cause enormous damage to marine ecosystems.

The issues are not new, but innovative approaches, renewed commitment and urgent implementation of strategies to combat unsustainable and destructive fishing must be at the forefront of building a resilient ocean, thereby safeguarding food security and a sustainable future for countries like Nauru. We are therefore pleased that the international community has committed to maintaining or restoring stocks to levels that can produce maximum sustainable yield by the

2015 deadline, as agreed to under the Johannesburg Plan of Implementation. We hope that those will not be empty words.

We in Nauru are proud that the biomass of all the highly migratory and straddling fish stocks assessed by the Western and Central Pacific Fisheries Commission (WCPFC) are above the levels capable of producing maximum sustainable yield, as qualified by relevant environmental and other factors, and that none of those tropical regional fish stocks require rebuilding, thanks largely to effective cooperation among coastal States of the region.

We do, however, have concerns that the biomass of bigeye tuna might be reduced below maximum sustainable yield by 2015 if high levels of fishing mortality continue on the tropical Pacific high seas. We hope that the collective membership of the WCPFC will follow the lead of the parties to the Nauru Agreement in imposing compulsory limits on the vessels under their jurisdiction, particularly longliners. The nations that are parties to the Nauru Agreement will be applying an overall effort to limit longline fishing in their combined exclusive economic zones — an area of nearly 14 million square kilometres — from 1 January 2013.

Another issue of deep concern is ocean acidification. The combined impacts of climate change — namely, sea-level rise, increased sea-surface temperature and intensified storm activity — and the adverse effects of ocean acidification caused by increased dissolved carbon dioxide heighten the threat to ocean health. Coral reef ecosystems are particularly susceptible to climate change and ocean acidification and may be the first marine ecosystems to collapse without urgent, increased mitigation action.

Urgent and deep reductions in greenhouse-gas emissions are a global imperative. In addition, given existing levels of carbon dioxide in the atmosphere and oceans, building the resilience of vulnerable marine ecosystems to the impacts of climate change and ocean acidification is essential to enabling sustainable development and eradicating poverty. We look forward to the increased focus on that issue at the upcoming meeting of the Informal Consultative Process on Oceans and the Law of the Sea.

We would also like to highlight the new text in this year's draft resolution on sustainable fisheries on the need to quantify and control the use of large-scale fish aggregating devices, which are man-made structures

that provide shelter for fish in the open ocean. Setting purse-seine nets around these devices often results in catches of juvenile bigeye tuna that have not yet had a chance to breed, contributing to overfishing of the species. In the context of its national plan of action, Nauru is proud to state that we were among the first to institute controls on industrial fish-aggregating devices. We are pleased to see that the international community now also recognizes the need to quantify and control the use of these devices, and we look forward to the implementation of such action.

One of our biggest problems at the moment is not with highly migratory and straddling stocks — which we feel are coming under control in the tropical western Pacific — but with artisanal reef fisheries. The information needs of those local fisheries are of an order of magnitude more complex than those of tuna fisheries, and yet in our region the development resources devoted to them by the international community are, in fact, of an order of magnitude less.

Those are national issues and, of course, require national action, but we would ask that international initiatives and regional agencies not lose sight of the fisheries that are so important to our people at the local level and that they not concentrate their efforts exclusively upon the straddling and highly migratory fisheries, with respect to which they can get the most recognition or obtain the easiest wins.

I am not talking about increased basic research on reef ecosystems; we have enough species lists to last us a lifetime. What we need is more attention to fishing itself — building systems that work at the local level by talking to fishers, compiling hard information on their activities and needs, and helping them to work out socially applicable solutions to any overfishing that is identified. We would urge that those considerations be taken under advisement in the work of our partners and of the United Nations system.

In the outcome document of the United Nations Conference on Sustainable Development, “The Future We Want” (resolution 66/288, annex), leaders committed themselves to protecting and restoring the health, productivity and resilience of oceans and marine ecosystems, enabling their conservation and sustainable use for present and future generations. We believe that we will have moved in the correct direction with the adoption of the draft resolutions here today. We look forward to further advancing that work through

the eventual adoption of a sustainable development goal on oceans.

Mr. Li Baodong (China) (*spoke in Chinese*): Oceans and seas cover 71 per cent of the Earth's surface and are closely linked to the survival and development of humankind. The maritime order is a significant component of the international order. As an important legal document governing contemporary international maritime order, the United Nations Convention on the Law of the Sea (UNCLOS), with due regard for the sovereignty of all States, establishes norms on fundamental maritime issues, including the legal status of various parts of the ocean, the rights and obligations of States, the utilization of maritime resources, environmental protection of the oceans and seas, maritime demarcation and dispute settlement.

In a stroke of creative genius, it has designated international seabed areas beyond national jurisdictions as the common heritage of humankind and established institutions, such as the International Seabed Authority, the Commission on the Limits of the Continental Shelf (CLCS) and the International Tribunal for the Law of the Sea (ITLOS), to effectively manage the exploitation of international seabed resources, the delimitation of the outer limits of the continental shelf, and the settlement of maritime disputes. The Convention affirms that matters not regulated by it continue to be governed by the rules and principles of basic international law, thus ensuring its inclusiveness and openness.

To date, the Convention has earned worldwide recognition and has been widely supported and upheld by the international community. On the occasion of the commemoration of the thirtieth anniversary of the opening for signature of the Convention, I wish to pay the highest tribute to those who contributed to the birth of the Convention, particularly the late Ambassador Arvid Pardo of Malta and the late Ambassador Hamilton Shirley Amerasinghe, of Sri Lanka.

I wish to take the opportunity to elaborate on China's position and views on various aspects of the oceans and the law of the sea. First, China highly commends the CLCS for its contribution to the balanced handling of the legitimate rights and interests of coastal States and the overall interests of the international community. We support the Commission's ongoing fulfilment of its mandate in accordance with the Convention and its own rules of procedure, in order to maintain the quality and professionalism of its consideration of submissions. We call on the international community to continue to assist

the Commission in finding appropriate solutions to the problems related to its workload, and we congratulate its members on their election.

Secondly, the Chinese delegation congratulates the International Seabed Authority on its achievements over the past year, and Mr. Nii Allotey Odunton on his re-election as Secretary-General of the Authority. The Chinese Government has continuously and firmly supported the work of the Authority and the effective and full participation of developing countries in international seabed affairs.

In July, China made a further donation of \$20,000 to the Authority's voluntary trust fund to facilitate the participation of developing countries in meetings of the Legal and Technical Commission and the Finance Committee. Last month, a Chinese research institute and the Authority jointly convened an international workshop in Beijing on the implementation of article 8 of the Convention. The Authority has begun formulating regulations on the exploitation of resources in the Area. China is of the view that such formulating work should be progressive, aligned with technological and industrial advances, and reflect an appropriate balance between resource utilization and environmental protection, and between exploitation interests and those of the international community as a whole.

Thirdly, China notes the increasing activities of the ITLOS in terms of both its caseload and number of decisions, the increasing topical coverage of cases, and the Tribunal's growing influence, which indicate that the judicial body has entered a new phase of comprehensive implementation of its mandate under the Convention. The Tribunal is also playing an active part in assisting the capacity-building of developing countries, which China greatly appreciates. China values and supports the important role of the Tribunal in the peaceful settlement of maritime disputes, and the maintenance of the international maritime order and in raising awareness on issues concerning the law of the oceans and seas. We will continue to support the efforts of the Tribunal to enhance the capacity-building of developing countries.

Fourthly, the Chinese side supports the adoption by the General Assembly of the concrete recommendations of the Ad Hoc Open-ended Informal Working Group to study issues related to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. China is of the view that since the high seas and international seabed Area involve

the interests of the entire international community, the proper handling of marine biodiversity of those areas is crucial to the maintenance of an equitable and rational international maritime order. Relevant work should therefore proceed incrementally and fully accommodate the legitimate needs of all countries, especially developing countries, for marine bioresources.

In addition, China notes with satisfaction the establishment of the institutional framework of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, as well as the positive progress on various aspects of the Regular Process. Under United Nations auspices, in February China hosted a workshop in Sanya on the eastern and south-eastern Asia seas, thereby contributing to regional capacity-building in marine environmental assessment. China considers the smooth progress of the Regular Process important and looks forward to its anticipated outcomes. We support enhancing the Division for Ocean Affairs and the Law of the Sea as the secretariat of the Regular Process.

Fifthly, China continues to attach high importance to the issue of greenhouse-gas emissions from ships, and has taken note of the relevant work carried out by the International Maritime Organization. China believes that the key to addressing that question is to uphold the principle of common but differentiated responsibilities established by the United Nations Framework Convention on Climate Change. At present, work on that issue should focus on facilitating the technological advancement of developing countries through technology transfer and capacity-building with a view to improving the energy efficiency of ships.

Sixthly, as a responsible fishing nation, China takes an active part in the work of various international fisheries organizations and is committed to strengthening the conservation and management of fisheries resources. China will continue to work with the countries concerned to promote the development and refinement of the international fisheries management regime and the regulation of fishing activities in order to achieve the sustainable use of marine bioresources, conserve the marine ecological balance, and ensure the sharing of fisheries benefits by all countries.

China advocates enhanced international cooperation and coordination in line with the spirit of the Convention in order to safeguard the peace, security and openness of the oceans and to promote the common development of all countries. We advocate the establishment and

maintenance of a harmonious maritime order under which the international community must emphasize both the proper protection of the ocean and its rational use; strike a balance between the interests of coastal States and the overall interests of the international community; properly accommodate the legitimate rights and freedoms of all countries, especially developing countries, landlocked countries and geographically disadvantaged countries, with respect to the use of the ocean; and promote the peaceful settlement of maritime disputes in accordance with the purposes and principles of the Charter of the United Nations and of international law, including the UNCLOS.

China has consistently pursued an independent foreign policy of peace and good-neighbourliness by building friendships and partnerships with neighbouring countries.

As to international insular and maritime disputes, China maintains its position that sovereign States directly concerned should seek a peaceful settlement through friendly consultation and negotiation based on international law, including the Convention. China believes that establishing and maintaining a harmonious maritime order will enable all countries to benefit from the opportunities offered by the ocean, seek common responses to the challenges of the ocean, and further the common development of marine areas. In that context, such order is in the interest of the international community as a whole.

Finally, I thank Ambassador Eden Charles of Trinidad and Tobago and Ms. Alice Revell of New Zealand for their contributions as facilitators of draft resolutions A/67/L.21 and A/67/L.22.

Mr. Shapoval (Ukraine): At the outset, I would like to thank the Secretary-General for his extensive and helpful report on the subject of oceans and the law of the sea (A/67/79). Aligning itself with the statement of the European Union, my delegation would like to take the floor in its national capacity.

These days, we are celebrating the thirtieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). I am proud that my delegation is among those that have put their signatures to that historic document, which has indeed become a constitution for the oceans. An affirmative answer will respond to the question raised by Ambassador Tommy Koh of Singapore 30 years ago: yes, the Convention has

stood the test of time. Moreover, that monumental achievement of the international community is about to achieve universality, with 164 States parties as of today. I would like to reiterate my country's strongest commitment to the Convention as a comprehensive legal framework covering all aspects of the activities related to oceans and seas.

I now turn to the draft resolutions before us today. Ukraine is grateful to all delegations for their cooperation during the consultations. We appreciate the fact that this year's omnibus draft resolution on oceans and the law of the sea (A/67/L.21) highlights the importance of keeping up efforts aimed at providing safety and security in international maritime shipping.

One of the major challenges in this field is piracy and armed robbery at sea. Although considerable gains have been made thus far in combating this threat, a lot of work is still ahead of us. Noting that the current declining trend in the number of attacks is reversible and predominantly dependent on the international naval patrol, my country has decided to make its own contribution in this regard. The decision has been taken by the Government of Ukraine to send the frigate *Hetman Sahaidachny*, a flagship of the Ukrainian Naval Forces, to the waters off the Horn of Africa as a part of NATO Operation Ocean Shield. The frigate, equipped with a deck helicopter, is currently undergoing final preparations to head for the waters off the Somali coast.

The fight against piracy cannot be successful without the fight against impunity for its perpetrators and organizers. In this respect, Ukraine welcomes the fact that this year's draft resolution once again encourages Member States to make efforts to bring pirates and their sponsors to justice. Current statistics in this respect are very encouraging; 1,186 individuals are being prosecuted or awaiting prosecution in 21 States. Building on this initial success will not be possible without a sufficient legal basis for the apprehension and prosecution of those who are alleged to have committed those crimes. International law, as reflected in the Convention, enables us to apprehend and prosecute pirates. The key role in this process is played by our national legislation.

In this regard, my delegation is very pleased that, upon its proposal, the omnibus draft resolution calls upon States to actively cooperate with a view to developing their national anti-piracy legislation. Our national legal tools have to correspond to the current challenges and threats to maritime safety and security,

of which piracy is the most pressing. Ukraine stands ready to further actively engage in this subject matter within the framework of the United Nations and other competent entities, and welcomes Member States' initiatives and suggestions in this regard.

As one of the major States of seafarers' origin, Ukraine notes with appreciation that the comprehensive annual resolution on the law of the sea has continuously encouraged Member States, the International Maritime Organization, the International Labour Organization and other actors to develop measures aimed at protecting the welfare of seafarers who are victims of pirates, including measures for their post-incident treatment and reintegration into society. We highly appreciate the work carried out in this field, including the development of guidance to address care for seafarers who have suffered from attacks and capture by pirates. We urge flag States and ship owners to do their utmost in ensuring the security of crew members.

Our highest appreciation goes to the Division for Ocean Affairs and the Law of the Sea for providing us excellent conference services and support throughout the year. We are also profoundly grateful to the coordinators of both draft resolutions for their valuable stewardship during the negotiations.

Mr. Neo (Singapore): My delegation is privileged to address the General Assembly under agenda item 75, "Oceans and the law of the sea". We thank the Secretary-General for his comprehensive reports on oceans and the law of the sea (A/67/79) and on sustainable fisheries (A/67/315). We also thank the coordinators of draft resolutions A/67/L.21 and A/67/L.22, Ambassador Eden Charles of Trinidad and Tobago and Ms. Alice Revell of New Zealand, for their able stewardship of the consultations. We also express our appreciation to the staff of the Division for Ocean Affairs and the Law of the Sea for their support on these drafts.

Yesterday, the General Assembly commemorated the thirtieth anniversary of the signing of the United Nations Convention on the Law of the Sea (UNCLOS). Singapore is grateful that our own Ambassador Tommy Koh was given the honour of presiding over the Third United Nations Conference on the Law of the Sea, which gave birth to that constitution of the oceans, which has stood for three decades.

In many ways, UNCLOS created a new global order. It struck a balance between increasing the jurisdictional claims of coastal States over adjacent

sea areas and preserving the important rights of the international community in areas claimed by coastal States, including the freedom of navigation. UNCLOS also entrenched the concept of the common heritage of humankind in international law, which safeguarded the collective rights of nations over parts of the oceans that were beyond claims that coastal States could legitimately make. Just as importantly, UNCLOS established a comprehensive set of dispute-settlement mechanisms that enabled States to resolve their differences peacefully through bilateral negotiations, arbitration or third-party adjudication. That has helped to maintain peace, order and discipline in the governance of our oceans.

My delegation welcomes the two new ratifications of the Convention during the period under review, bringing the total number of parties to 164. For the most part, the Convention already reflects customary international law. However, we encourage the minority of non-party member States to give serious consideration to accession so that the Convention will achieve universal membership.

Singapore is committed to the full and complete implementation of the law of the sea. We are a small island nation strategically located at the junction of the Straits of Malacca and Singapore and the South China Sea, the gateway between the Indian and Pacific Oceans. We are also one of the three littoral States bordering the Straits of Malacca and Singapore. As our total trade is three times our gross domestic product, freedom of navigation is of critical importance to Singapore.

Today, 90 per cent of global trade is carried by sea. About half of that passes through the Straits of Malacca and Singapore. It is therefore in the interest of all States to continue to preserve the freedom of navigation and passage rights through these and other waters, and even more so in these uncertain economic times, as the freedom of navigation has a direct and tangible impact on global trade.

New possibilities and challenges have emerged since the adoption of UNCLOS 30 years ago. New technologies have made possible the exploration and exploitation of resources in areas beyond national jurisdiction. At the same time, increasing coastal populations have put pressure on coastal and marine ecosystems. Some of these challenges may prompt fresh debate over the sufficiency or proper application of UNCLOS. The international community has to respond to these challenges in a way that maintains not only

the balance of uses in the oceans and seas, but also the peaceful order that we have enjoyed therein. We must resist the temptation to put undue emphasis on certain aspects of the Convention that may be of keen national interest at a particular point of time, and risk reading into the Convention interpretations that the drafters never intended.

We must therefore remind ourselves that UNCLOS was drafted as a package, and no selectivity should be exercised in its application. It is critical to maintain the indivisibility of the Convention, which is the sole and overarching legal framework for the oceans and seas. Some of the new challenges we face are explicitly dealt with in the Convention's text; others are not. But it is my delegation's firm view that the Convention contains both the core set of principles that should be applied and the necessary scope for us to successfully address all emerging issues relating to the oceans and seas.

The international community reached an important and significant milestone on sustainable development in June this year in Rio de Janeiro. Our leaders agreed to the outcome document of the United Nations Conference on Sustainable Development (resolution 66/288, annex), which built on the Rio Declaration on Environment and Development and on Agenda 21. Our leaders committed to addressing, on an urgent basis, the issue of the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, including by taking a decision on the development of an international instrument under the United Nations Convention on the Law of the Sea.

Our leaders also urged all parties to UNCLOS to fully implement their obligations under the Convention, recognizing that we should be careful not to undermine freedom of navigation and other equally important interests. It bears repeating that the careful compromises embodied in UNCLOS have served us well. As the international community charts the future of our oceans, it is imperative that we do so without undermining the integrity of the Convention.

Mrs. Mørch Smith (Norway): The United Nations Convention on the Law of the Sea (UNCLOS) sets forth the legal order for the world's seas and oceans. It provides a solid foundation for the peaceful, responsible and predictable management of the oceans. The peaceful and sustainable use of the oceans and sound fisheries management remain key priorities for Norway.

Another Norwegian priority is global food security. Oceans are critical to global food security, and sustainable and responsible marine management is of vital importance if the oceans are to continue to be a source of human food. Norway supports measures to strengthen sustainable fisheries management and actions to protect vulnerable marine ecosystems from destructive fishing practices. The regional fisheries management organizations play a key role in that context.

We welcome the adoption of the outcome document of the United Nations Conference on Sustainable Development (resolution 66/288, annex) earlier this year, which stressed the crucial role of healthy marine ecosystems, sustainable fisheries and sustainable aquaculture for food security and nutrition and in providing for the livelihoods of millions of people. The General Assembly emphasizes those important issues in this year's draft resolution on sustainable fisheries (A/67/L.22) and encourages the Food and Agriculture Organization of the United Nations to give due priority to those issues in its future work.

Over the past few years, we have become concerned about the connections between international organized crime and fisheries crime. We support the ongoing work of the United Nations Office on Drugs and Crime and INTERPOL, and welcome the fact that there is greater awareness of those links in General Assembly discussions.

It is essential to protect biological diversity in order to maintain the living networks and systems that are the basis of our existence. There is an urgent need to implement effective measures to combat threats to marine biodiversity. It is important to underline that this also applies to areas under national jurisdiction and that every coastal State is responsible for implementing effective measures.

We welcome the work of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction. We support and remain committed to the decision taken in Rio earlier this year to address on an urgent basis the issue of the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. It is important that all negative impacts on biodiversity be examined. Furthermore, possible gaps in the legal framework and in the implementation of existing

instruments should be identified, and a decision should be taken on the possible development of an international instrument under the United Nations Convention on the Law of the Sea. We welcome the opportunity to address those issues further at the inter-sessional workshops in May 2013 and at the meeting of the Ad Hoc Open-ended Informal Working Group in August 2013.

Norway firmly believes that regional organizations play a crucial part in protecting marine biodiversity in areas beyond national jurisdiction. Impacts on marine biodiversity may differ from region to region; different challenges require different solutions. Priority should be given to improving the effectiveness of regional management bodies.

Norway is concerned about the impact on the marine environment of increased concentrations of greenhouse gases in the atmosphere. We know that elevated levels of anthropogenic carbon dioxide in the atmosphere are rapidly changing ocean chemistry, leading to ocean acidification. This may have dramatic consequences for the marine environment and ecosystems. There is a need for a fuller understanding of the effects of ocean acidification on marine organisms. The outcome document of the United Nations Conference on Sustainable Development calls for support for initiatives that address that issue. Norway therefore supports the proposal for the United Nations Open-ended Informal Consultative Process to focus on ocean acidification during discussions at its fourteenth meeting.

Mr. Sharma (India): At the outset, I wish to take this opportunity to thank the President for convening this meeting to consider agenda item 75, "Oceans and the law of the sea", which holds great significance for the international community as a whole.

This year, the subject of oceans occupies a special place as the United Nations commemorates the thirtieth anniversary of the opening for signature of the Convention on the Law of the Sea. I congratulate the international community on this occasion.

Oceans play a vital role in supporting life on Earth. The outcome document of the United Nations Conference on Sustainable Development held in Rio de Janeiro, Brazil, in June, entitled "The future we want" (resolution 66/288, annex), recognized oceans and seas as integrated and essential components of the Earth's ecosystem that are critical to sustaining it. That will be possible, however, only through the proper management and use of ocean resources and the preservation and

protection of the marine environment. The oceans are facing a number of challenges that include illegal, unreported and unregulated fishing, the deterioration of the marine environment, biodiversity loss, climate change, and problems related to maritime safety and security, including acts of piracy.

We would like to express our serious concern over piracy and armed robbery at sea, particularly off the coast of Somalia. Piracy is a grave threat to freedom of the seas, maritime trade and the security of maritime shipping. It endangers the lives of seafarers, affects national security and territorial integrity, and hampers the economic development of nations. India is actively cooperating with international efforts to combat piracy and armed robbery at sea. We support the joint and concerted efforts of the international community to tackle that menace. In that regard, we express our deep appreciation to the Contact Group on Piracy off the Coast of Somalia which, since its establishment in January 2009, has served as an excellent forum for international cooperation and coordination in the fight against piracy off the coast of Somalia.

The 1982 United Nations Law of the Sea Convention is the key international instrument governing ocean affairs. It sets out the legal framework for activities in oceans and seas and is of strategic importance as the basis for national, regional and global action in the marine sector. With 164 parties, the Convention enjoys near-universal acceptance. Swaziland and Ecuador became the latest States to accede after joining the Convention on 24 September.

We thank the Secretary-General for his report (A/67/79) and its two addenda on issues concerning oceans and the law of the sea. We also welcome the report (A/67/120) of the co-Chairs of the thirteenth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, during which deliberations were held on the topic of marine renewable energies.

The oceans have significant potential for contributing to meeting energy needs, improving economic well-being and reducing greenhouse-gas emissions. However, while marine renewable energies offer opportunities, they also pose environmental and economic challenges, especially to developing countries, including in the areas of the conduct of scientific research and acquisition of technological knowledge, which can be successful only with effective international cooperation and coordination.

We welcome the report on the work of the Ad Hoc Working Group of the Whole on the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects (A/67/87). We commend the Working Group's efforts towards producing the first global integrated assessment of the state of the marine environment and look forward to its completion by 2014. We also welcome the report of the work of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction and co-Chairs' summary of discussions (A/67/95, annex). The meetings have revealed a number of gaps in the regulation, implementation, governance, coordination and information-sharing in the current regime for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction. We are confident that the Informal Working Group's efforts will help to find ways and means for filling those gaps, including through developing a legal framework.

The effective and unhindered functioning of the institutions established under the Convention — the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf — is key to achieving the goal of the fair and equitable use of oceans and their resources, including through the effective implementation of the provisions of the Convention. We note with satisfaction the progress made by those institutions in their respective areas, and support all efforts towards ensuring their smooth functioning. While we are fully aware of, and concerned about, the heavy workload of the Commission on the Limits of the Continental Shelf due to the great number of claims submitted, we are hopeful that increasing the number of the Commission's work weeks will help it to manage.

In addition to the initiatives and processes that exist under the Convention on the Law of the Sea for the implementation of its provisions, and the studies being undertaken in various working groups mandated by the General Assembly, this year we have also noted the launch of the Secretary-General's new "Oceans Compact — Healthy Oceans for Prosperity". It is important that the initiative's requirements and objectives be established through open and regular consultation with Member States. We would also like

to stress that any duplication of the work of ongoing initiatives and processes should be avoided.

I would like to thank Ambassador Eden Charles, the Deputy Permanent Representative of Trinidad and Tobago, who has very ably coordinated this year's consultations for the draft omnibus resolution on oceans and the law of the sea (A/67/L.21). It addresses a wide range of issues, including those concerning the implementation of the Convention and related agreements, capacity-building, maritime safety and security, marine scientific research, the marine environment and marine resources.

We would also like to thank Ms. Alice Revell of New Zealand for successfully coordinating the consultations on the draft resolution on sustainable fisheries (A/67/L.22). The fishery sector occupies an important place in the socioeconomic development of a great number of countries, including India. We support the international community's concerted efforts towards achieving sustainable fisheries by, inter alia, adopting measures to prevent and combat illegal, unreported and unregulated fishing by effectively implementing the 1995 Fish Stocks Agreement and the relevant instruments at the regional level, and by preventing overfishing. We consider the role of the Food and Agriculture Organization of the United Nations to be crucial in conserving fishery resources and the management and development of fisheries.

Our thanks also go to the whole staff of the Division for Ocean Affairs and the Law of the Sea, particularly its Director, Mr. Tarasenko, for all its arrangements for the meetings and its constructive cooperation.

India, given its geography as a country, with a vast coastline and numerous islands, has a traditional and abiding interest in maritime and ocean affairs. It is a party to the Convention, the Implementing Agreement, and the Fish Stocks Agreement. We take a keen interest in all matters pertaining to ocean affairs and believe it is in the interests of the international community as a whole to continue to cooperate fully in the efforts towards ensuring the proper management and sustainable use of the oceans and seas.

Mrs. Chigiyal (Micronesia): The Federated States of Micronesia aligns itself with the statement delivered by the representative of Samoa on behalf of the Pacific small island developing States (SIDS), as well as the statement delivered by the representative of Palau on behalf of the Pacific Island Forum countries.

At the outset, my delegation would like to express its sincere gratitude to the Division of Oceans and the Law of the Sea for its important work and unwavering support in facilitating the work of the informal negotiations. We are also grateful for the Secretary-General's comprehensive annual reports on oceans and the law of the sea (A/67/79, A/67/79/Corr.1, A/67/79/Add.1 and A/67/79/Add.2). We give special thanks to the two coordinators, Ambassador Eden Charles of Trinidad and Tobago and Ms. Alice Revell of New Zealand, for conducting the informal consultations on the two draft resolutions before us (A/67/L.21 and A/67/L.22). My delegation is a proud sponsor of them.

This year marks the thirtieth anniversary of the opening for signature of the Convention on the Law of the Sea (UNCLOS). It remains as valid today as it was 30 years ago. Indeed, we have much to celebrate in having achieved substantial progress in the areas of oceans and the law of the sea. We can rightly use this occasion to honour those individuals and parties who had the wisdom and foresight to get nations to commit to what is now known as the "constitution for the oceans".

Micronesia is part of a blue continent. The oceans bring us together and sustain us, and their resources enrich us. They are part of our homeland, and our people's livelihood, culture and way of living depend on a blue economy.

Of increasing and serious concern is the health of the oceans. Pollution and the transboundary movement of hazardous waste negatively impact our oceans. The adverse impacts of climate change, including rising water temperature, influence the movement of our fish stocks from our waters, and ocean acidification is eroding our coral reefs. Destructive fishing methods — including overfishing and illegal, unreported and unregulated fishing — require States to cooperate in taking greater enforcement measures.

We must therefore treat our oceans accordingly and defend them just as strongly. In that regard, my delegation urges all Member States to fulfil the commitments they made in June in Rio. The United Nations Conference on Sustainable Development (Rio+20) affirmed the important role the Convention on the Law of the Sea plays in achieving sustainable development. We welcome the new elements in this year's draft resolutions, which ensure the conservation and sustainable use of the oceans and their resources.

My delegation joins many others in repeating the call made at Rio+20 to address issues relating to biological diversity in areas beyond national jurisdiction, which need to be addressed through an implementing agreement under UNCLOS as soon as possible. We are convinced that this will provide legal certainty in the conservation and sustainable use of marine biodiversity in the high seas, thereby earning legitimacy and credibility.

Given the vulnerability and limited capacity of Micronesia as a small island developing State, we particularly welcome the references in the draft resolutions stressing the need to identify and mainstream strategies by 2014 that assist SIDS in developing their capacity to conserve, sustainably manage and realize the benefits of sustainable fisheries. The invitation to States and international financial institutions to develop special financial mechanisms or instruments to assist SIDS in developing their national capacity to exploit fisheries resources must also be recognized and commended.

In our part of the Pacific, we have taken the lead in preserving healthy fish stocks and protecting our environment. We have created innovative tools to keep our stocks at a level producing at least maximum sustainable yield based on the best available science. We encourage our partners to join us in that endeavour. The parties to the Nauru Agreement are taking that responsible approach, and we encourage other regions of the world to follow suit.

In 2014, the Third International Conference on SIDS will be held in our Pacific island neighbour, the Independent State of Samoa. Micronesia looks forward to discussions on how to further address the challenges faced by small island developing States, including in the area of conservation and sustainable use of ocean resources.

In conclusion, I want to emphasize that we are all responsible for the future health of our oceans. Engaging actively in the sustainable use, management and conservation of the world's oceans is not just a practical, but also a moral obligation that we all need to fulfil.

Mr. Shihab (Maldives): I am delighted to be making this statement today on behalf of the delegation of Maldives under agenda item 75, "Oceans and the law of the sea". At the outset, I would like to express our appreciation to the Division for Ocean Affairs and the

Law of the Sea for its continued support and dedicated work on oceans issues.

The Maldives would first like to begin by taking note of this year's debate on this agenda item, which coincides with the thirtieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea (UNCLOS) and the twentieth anniversary of the United Nations Conference on Environment and Development. These two anniversaries remind us of the importance of emphasizing the linkage between those two fields, as well as the need to stress the importance of conservation and the sustainable use of the oceans.

The Maldives, like many other small island developing States, is a coastal State whose economy depends on its marine resources. Given that tourism and fisheries remain our two biggest industries, preserving our oceans constitutes the basis for our country's economic, social and environmental development. We are pleased that the section on the oceans and seas of the outcome document (resolution 66/288, annex) of the United Nations Conference on Sustainable Development (Rio+20) took note of the importance of oceans and the legal framework provided by UNCLOS. The provisions on sustainable tourism and the protection of coral reefs are particularly welcome, as the Maldives continues to fight the effects of anthropogenic climate change, which include sea-level rise, coastal erosion, ocean acidification and coral bleaching. We remain deeply concerned about overfishing; illegal, unreported and unregulated fishing; discards, by-catch and perverse Government subsidies; ineffective fisheries governance; overcapacity and biodiversity loss.

The Maldives welcomes the Secretary-General's ocean initiative, launched on 12 August in the Republic of Korea, to deliver oceans-related mandates consistent with Rio's outcome document in a more coherent and effective manner. We hope that this initiative will create a platform for all stakeholders at the national and international levels to collaborate and accelerate progress in the achievement of our common goals. Preserving the oceans through protection and sustainable use is vital to the well-being of our future generations.

The Maldives is deeply concerned that current international efforts are not enough to meet the target of restoring fish stocks to their maximum sustainable yields by 2015, including the reversal of biodiversity loss in the oceans and the elimination of destructive fishing practices decided in the World Summit on

Sustainable Development. The world has missed the 2010 target to achieve a significant reduction of the current rate of biodiversity loss at the global, regional and national levels. Current trends show that the loss of species will continue throughout this century, with an increasing risk of dramatic shifts in ecosystems. The Maldives therefore calls upon all Member States to renew their political commitment to finding an urgent solution to biodiversity loss.

In that regard, Maldives declared Baa Atoll a UNESCO biosphere reserve on 28 June 2011. The designation of Baa Atoll as a biosphere reserve signals the commitment of the people to managing it sustainably by achieving the three functions of the biosphere reserve: conservation, sustainable development and learning. In addition, President Waheed announced at Rio+20 that we will make the whole of the Maldives a biosphere reserve by 2017. The initial work needed to achieve that ambitious goal is ongoing.

The Maldives believes that there is a need for further commitment on the part of States to enforcing regional agreements on the management of ocean resources. This could provide capacity to regional fisheries management organizations and make them better equipped to ensure the sustainable management of our oceans. Given the strategies contained in the Oceans Compact, we are keen to see results that display an increase in the sustainable management of ocean resources and a general improvement in the health of our oceans.

We take note of the Secretary-General's report, contained in document A/67/79, focusing on the importance of marine renewable energy. The report stresses the fact that small island developing States (SIDS) are well placed to benefit from ocean thermal energy conversion and focuses on the fact that there has been a requirement for the development of marine renewable energy since the United Nations Conference on Environment and Development, held in Rio in 1992. The call for the development of renewable energy alternatives is, indeed, a viable option to escape climate change and rising oil prices and answers increasing energy demands. Unfortunately, SIDS like the Maldives do not have sufficient resources to ensure a complete transition to a green economy and therefore remain in dire need of outside investment to develop those renewable energy options, which could sustain the greening of our economy. For this reason, we reiterate

our urgent call for assistance in the development of marine renewable energy.

In conclusion, the protection and sustainable use of marine resources for SIDS like the Maldives represent a key part of our sustainable development. It is by now a well-recognized fact that oceans play a part in the economy of every State across the globe. It is therefore inexcusable for any State to ignore its duty to ensure the protection of these resources and their sustainable use for the benefit of our future generations.

Ms. Flores (Honduras) (*spoke in Spanish*): We are extremely pleased to participate in this important debate devoted to oceans and the law of the sea, especially as we consider the adoption of two important draft resolutions on the subject (A/67/L.21 and A/67/L.22). My delegation also wishes to express its satisfaction with regard to the ceremony that took place yesterday to commemorate the thirtieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea, of which we are a party. We underscore importance 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, which since 1995 has maintained the regime for their conservation and sustainable development.

Honduras confirms its support for the draft resolutions to be adopted today. In that regard, and wishing to contribute to the conservation of our species, we recall that in 2011 we declared our national waters to be a sanctuary for the protection of the shark species.

With regard to the United Nations Convention on the Law of the Sea, with its 164 States parties and a constantly developing normative system, we highlight that its provisions are implemented with the assistance of several organs, including the International Seabed Authority, which allows States parties to organize and control activities related to the mineral resources of the international seabed; the International Tribunal for the Law of the Sea in Hamburg, which resolves disputes over the interpretation or implementation of the Convention; and the Commission on the Limits of the Continental Shelf, which contributes to establishing the outer limits of the continental shelf where that part of the submerged land of the territory of a coastal State extends to 200 nautical miles from its coastline. The Convention, known as the constitution of the oceans,

establishes the seabed and the ocean floor as the common heritage of mankind.

In thanking the Secretary-General for his reports on these issues (A/67/79 and A/67/315), I wish to recall his important message during the first official celebration of World Oceans Day, on 8 June 2009. “Our oceans, our responsibility” emphasizes our individual and collective duty to protect the marine environment and carefully manage its resources. Safe, healthy and productive seas and oceans are integral to human well-being, economic security and sustainable development. In that connection, the world’s peace and security among nations and, of course, among coastal States are vital to the social and economic development of our peoples. Everything that contributes to the development and promotion of trust among neighbouring countries and peoples undoubtedly contributes to maintaining the peace that we so desire. For us, as founding States Members of the United Nations, the full implementation of the international legal norms on oceans is reflected in the judgments of the International Court of Justice. We peace-loving States turn unreservedly to those international courts to resolve our differences. Respectful of their binding decisions, we accept them without hesitation.

I am pleased to inform the Assembly that at the Managua summit on 4 December, following a regional presidential meeting among the three States that have a shared interest in the Gulf of Fonseca — Honduras, El Salvador and Nicaragua — we agreed to establish a trilateral commission for the purpose of maintaining the Gulf of Fonseca as a zone of peace, sustainable development and security. The commission will be tasked with the following functions: reviewing the status of implementation of the 1992 Judgment of the International Court of Justice in the case of *El Salvador v. Honduras*; updating and implementation of the protocol on the role of naval forces in the Gulf of Fonseca, in order to guarantee peace and tranquillity in that zone; and accelerating the execution of the integral development strategy for the Gulf of Fonseca, presenting a portfolio of projects in the areas of sustainable economic development, environment and security, with the aim of mobilizing the resources necessary for their implementation. The Ministries of Foreign Affairs of the respective countries shall preside over the trilateral commission and shall jointly agree on the composition of its working groups and present a preliminary report to the Presidents within 90 days. The three States declared that the international community

shall be informed that all matters relating to the Gulf of Fonseca shall be addressed by the trilateral commission. The declaration was signed by the heads of State of Honduras, El Salvador and Nicaragua.

One of the major challenges we face in the twenty-first century is protecting the oceans, which are a source of life. Climate change, pollution, destructive fishing practices, ocean acidification and the extraction of marine species, which cause biodiversity loss and hurt the ecosystem, all affect the survival and the well-being of our planet. A world that wishes to live in harmony must pool its efforts and coordinate its political will in order to guarantee that its resources will be used in the framework of sustainable and balanced ocean development that, in meeting present and future needs, husbands the wealth of the sea as a legacy of future generations.

The Acting President: In accordance with resolution 51/6 of 24 October 1996, I now call on the Secretary-General of the International Seabed Authority.

Mr. Odunton (International Seabed Authority): Allow me first of all to congratulate Mr. Vuk Jeremić on his election to the presidency of the sixty-seventh session of the General Assembly. I have every confidence in his ability to guide the Assembly to its successful conclusion.

I wish to refer to the two draft resolutions before the General Assembly (A/66/L.21 and A/66/L.22) and express my appreciation to Member States for their references to the work of the International Seabed Authority contained in draft resolution A/67/L.21, especially under part VI, which is entitled “The Area”. I also express appreciation for the very comprehensive report of the Secretary-General (A/67/79), which as always provides detailed background material for our consideration. I wish to commend the Division for Ocean Affairs and the Law of the Sea for its continued outstanding efforts in the preparation of this report over the years.

Draft resolution A/67/L.21 welcomes two major achievements of the Authority during 2012. The first is the adoption by the Council at the eighteenth session of the Authority of the regulations for prospecting and exploration for cobalt-rich ferromanganese crusts in the Area. I am pleased to say that after many years of debate and negotiation, those regulations were adopted by consensus. The adoption of the regulations

completes the Authority's regulatory code governing prospecting and exploration for the three main types of mineral resources found in the Area. I believe that it is a significant achievement. Since the adoption of the regulations, two applications for exploration for cobalt-rich ferromanganese crusts have already been filed. They will be considered by the Legal and Technical Commission at its meeting in February 2013 and subsequently by the Council at its nineteenth session in July 2013.

The second major achievement, also referred to in paragraph 48 of the draft resolution, was the decision by the Council of the Authority to recognize the designation of nine representative areas in the nodule-bearing province of the Pacific Ocean, covering 1.6 million square miles as areas of particular environmental interest where no activity should take place.

The draft resolution also refers to the rapid increase in exploration activity that has taken place in the past two years. In 2012, five new applications for exploration contracts were approved by the Council of the Authority, bringing the total number of active exploration contracts in the Area to 17. The applications approved in 2012 included applications by State and private-sector enterprises sponsored by the following States parties: Belgium, France, Kiribati, the Republic of Korea and the United Kingdom. I wish to congratulate those States and their sponsored entities on their decision to join the growing group of States with active exploration interests in the seabed beyond national jurisdiction and to foster the development of the common heritage of humankind.

As envisaged by the framers of the Convention, contractors with the Authority include States parties, State enterprises sponsored by States parties and private-sector interests sponsored by States parties. Sponsoring States include not only the developed industrialized States but also developing States, taking advantage of the provisions of Part XI that were designed to allow them equal access to seabed resources. This is an important achievement that demonstrates that the system set out in the Convention and in 1994 Implementation Agreement work.

In 2011, the Authority approved the first-ever contracts for exploration for polymetallic sulfides in the Area. Contracts were awarded to entities sponsored by the People's Republic of China and the Russian Federation. I wish to inform the Assembly that, in Moscow on 30 October, I had the honour to

sign a 15-year exploration contract for polymetallic sulfides exploration in the Area with the Ministry of Natural Resources and the Environment of the Russian Federation. I wish to take this opportunity to congratulate the Government and the people of the Russian Federation on that important achievement.

With the increased pace of activity in the Area, much work lies ahead for the Authority in order for it to succeed in its task of managing the resources of the Area for the benefit of humankind as a whole. That includes the task of developing fair and reasonable financial terms for the future exploitation of minerals. It is thus more important than ever that all States parties attend the annual meetings of the Assembly and Council and participate fully in all aspects of the work of the Authority. I therefore look forward to the widest possible participation by all members in the nineteenth session of the Authority in July 2013.

The Acting President: In accordance with General Assembly resolution 54/195, of 17 December 1999, I now call on the observer for the International Union for Conservation of Nature.

Mr. Cohen (International Union for the Conservation of Nature): The International Union for Conservation of Nature (IUCN) welcomes the draft resolutions put forward for the General Assembly's consideration this year (A/67/L.21 and A/67/L.22).

We were encouraged that Heads of State and Government and high-level representatives, meeting in Rio de Janeiro from 20 to 22 June, with the full participation of civil society, renewed a global commitment to sustainable development and to ensuring the promotion of an economically, socially and environmentally sustainable future for the planet and for present and future generations. The outcome document, entitled "The future we want", adopted by the heads of State and Government and high-level representatives in Rio and subsequently endorsed by the General Assembly through resolution 66/288, includes many important paragraphs with respect to the world's oceans. It notes that oceans and coastal areas form an integrated and essential component of the Earth's ecosystem. Also noted is the need to ensure the conservation and sustainable use of the oceans and seas and of their resources for sustainable development, including through their contributions to poverty eradication, sustained economic growth, food security and creation of sustainable livelihoods and decent work, while at the same time protecting biodiversity and the

marine environment and addressing the impacts of climate change.

Leaders committed to protecting and restoring the health, productivity and resilience of oceans and marine ecosystems, maintaining their biodiversity, enabling their conservation and sustainable use for present and future generations, and effectively applying an ecosystem approach and a precautionary approach in the management of oceans. The importance of capacity-building to ensure that developing countries are able to benefit from the conservation and sustainable use of the oceans was recognized.

IUCN members met this year at the World Conservation Congress in Jeju, Republic of Korea, from 6 to 15 September and adopted resolutions and recommendations to guide the governance of the Union for the next four years. Under the Jeju declaration, entitled “Nature+: Towards a New Era of Conservation, Sustainability and Nature-based Solutions”, it was noted that the conservation of biological diversity is vitally important to human life. Nature is a major part of the solution to some of our most pressing challenges in climate change, food security, economic and social development and sustainable energy. Nature-based solutions build upon the proven contribution of well-managed and diverse ecosystems to enhance human resilience and to provide additional development opportunities for all. At Jeju, our members adopted a number of resolutions with respect to oceans, their conservation, management and equitable and sustainable use.

In “The future we want”, the importance of the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction was explicitly recognized. Leaders and Governments committed to building on work done under the auspices of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction, and to addressing the issue on an urgent basis before the end of the sixty-ninth session of the General Assembly, including by taking a decision on the development of an international instrument under the Convention.

In Jeju, our Members called on States to address ocean governance gaps in the protection and conservation of biodiversity in areas beyond national jurisdiction through the negotiation of a new implementing agreement for the protection of high-

seas biodiversity. Such an agreement could identify, designate and effectively manage a global network of fully comprehensive, adequate and representative high-seas marine protected areas, including reserves and other effective spatial management areas. It could require comprehensive prior environmental impact assessments and strategic environmental assessments, together with ongoing monitoring of the marine environment. It could ensure the provision of, access to and dissemination of information and transparency in decision-making processes. It could consider the question of the sharing of benefits derived from marine genetic resources in areas beyond national jurisdiction and require application of the precautionary approach, as set out in principle 15 of the Rio Declaration on Environment and Development, and the ecosystem approach in decision-making and management. It could call for the effective monitoring, control, surveillance and compliance and enforcement measures that ought to be implemented to support the long-term conservation and sustainable use of high seas biodiversity.

In “The future we want”, it is noted with concern that the health of oceans and marine biodiversity are negatively affected by marine pollution, including marine debris, especially plastics, and by persistent organic pollutants, heavy metals and nitrogen-based compounds, from a number of marine and land-based sources. Leaders committed to taking action to achieve significant reductions in marine debris in order to prevent harm to the coastal and marine environment by 2025.

My delegation hopes that significant reductions can be achieved much earlier in order to protect the marine environment and its biodiversity. In that regard, I note that the Global Partnership for Oceans, established by the World Bank and in which IUCN is a partner, will be working to reduce pollution to levels not detrimental to ecosystem function and biodiversity, and will be supporting the implementation of the global programme of action to reduce pollution, particularly from marine litter, waste water and excess nutrients.

In “The future we want”, concern is expressed about the impacts of ocean acidification and climate change on marine and coastal ecosystems and resources. The document reiterates the need to work collectively to prevent further ocean acidification, to enhance the resilience of marine ecosystems and of communities whose livelihoods depend on them, and to support marine scientific research, monitoring and

observation of ocean acidification and its effects on particularly vulnerable ecosystems. In that regard, my delegation stresses the importance of protecting coral reefs and natural blue carbon sinks, such as mangroves, sea grasses and salt marshes, through the careful application to coastal and marine areas of ecosystem-based management, the creation of resilient networks of marine protected areas and effective marine spatial planning. We welcome discussion during the United Nations Open-ended Informal Consultative Process next year of the impact of ocean acidification on the marine environment, including socioeconomic impacts.

“The future we want” also addresses various important fisheries issues. My delegation urges immediate action to meet the Johannesburg Plan of Implementation target to maintain or restore fish stocks to levels that can produce maximum sustainable yield by 2015. To do so — or even to approach the target — will require immediate action, including by reducing or suspending fishing catch and fishing effort to an extent commensurate with the status of the relevant fish stocks. We note the need to carefully manage by-catch, discards and other adverse ecosystem impacts from fisheries, including through the effective use of impact assessments. We note the need to protect vulnerable marine ecosystems from significant adverse impacts. All fishing should be subject to the collection and sharing of data, to allow for proper assessment of the effects of fishing effort on the marine environment and for the provision of scientific advice for future activities. States should eliminate subsidies that contribute to overcapacity and overfishing, as those activities are not sustainable.

In “The future we want”, leaders recognize the need for transparency and accountability in fisheries management by regional fisheries management organizations (RFMOs). Welcoming efforts undertaken by RFMOs to conduct independent performance reviews, my delegation urges all RFMOs to undertake such reviews and to make publicly available the results and any actions taken to address those results. The General Assembly may wish to consider the adequacy and outcomes of the reviews and to provide advice as to how they may be strengthened and improved.

In “The future we want”, leaders affirm the importance of area-based conservation measures, including marine protected areas. Aichi Biodiversity Target 11 states:

“By 2020 ... 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well-connected systems of protected areas and other effective area-based conservation measures.”

IUCN’s members at Jeju emphasized the importance of achieving that Target, through the establishment of representative networks of marine protected areas, ranging from no-take reserves to multiple use zones, where the pressures of extractive use on marine species and habitats are minimized, consistent with international law, including customary international law, as reflected in the Convention, and based on the best scientific information available. They also stressed the importance of developing other effective management and protection tools to complement those efforts in the oceans, addressing areas within and beyond national jurisdiction, as appropriate.

IUCN members in Jeju welcomed progress towards completion of the first global integrated assessment of the state of the marine environment by 2014, and welcomed the sharing of information, data and best practices through that process.

The Acting President: We have heard the last speaker in the debate on agenda item 75 and its sub-items (a) and (b).

The Assembly will now consider draft resolutions A/67/L.21 and A/67/L.22.

I shall now give the floor to the representative who wishes to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

I give the floor to the representative of the Bolivarian Republic of Venezuela.

Ms. Diaz Mendoza (Bolivarian Republic of Venezuela) (*spoke in Spanish*): My delegation wishes to address the draft resolution contained in document A/67/L.21, on oceans and the law of the sea, under agenda item 75 (a), which is before the General Assembly for consideration.

I take this opportunity to recall once again that Venezuela is not a party to the United Nations Convention on the Law of the Sea (UNCLOS). For this reason, the norms mentioned in that instrument,

including those that could be characterized as customary law, are not applicable, except for those that the Bolivarian Republic of Venezuela recognizes expressly. We reiterate that Venezuela is not a party to the United Nations Convention on the Law of the Sea (UNCLOS) since it cannot contravene fundamental principles and basic rights to which it adheres and that remain valid and relevant to this day.

Venezuela has fulfilled its international obligations under the law of the sea. It has advocated the comprehensive development of the law of the sea with a view to ensuring justice and has emphasized that all negotiations related to that law should reflect criteria and principles related to sustainable development and the preservation and sustainable use of the marine environment and its resources for future generations. In that spirit, my delegation has cooperated with efforts to promote coordination on matters pertaining to the oceans and the law of the sea, in accordance with international law, and in that regard participated constructively in consultations on the draft resolution.

However, and despite the efforts and the flexibility shown by some delegations to ensure that the text of the draft resolution would reflect the concerns and interests of all Member States and allow for the legal freedom of States not parties to UNCLOS, the text produced during the recently concluded Open-ended Informal Consultative Process does not reflect the consensus of all Member States on issues pertaining to oceans and the law of the sea. In particular, it was not possible to reflect in the text those issues that could affect sensitive interests of the Bolivarian Republic of Venezuela.

Therefore, in this statement my delegation ratifies its historical position on the United Nations Convention on the Law of the Sea, which it has expressed in various international forums, that this instrument should not be considered the sole legal framework governing all activities related to oceans and seas, and that it cannot be characterized as a universal instrument. Thus, the Bolivarian Republic of Venezuela believes that, although the text before us contains elements that we are able to endorse, it also contains elements that led my country to withhold support from the outcome document (resolution 66/288, annex) of the United Nations Conference on Sustainable Development (Rio+20), including matters relating to marine biodiversity that are reflected in section XI, and particularly paragraphs 181 and 183, of the draft resolution.

In this regard, my country attaches the highest importance to the sustainable exploitation of biodiversity-related resources beyond national jurisdiction being governed by a distinct international instrument that is separate from UNCLOS and the Convention on Biological Diversity. My delegation expresses its hope that future decisions on the subject, including the negotiation of a multilateral instrument, will be guided by a spirit of inclusion.

The delegation of the Bolivarian Republic of Venezuela reiterates the arguments put forward in the most recent Consultative Process, which are closely related to the reasons that prevented and continue to prevent my country from being a party to the Convention. In this regard, our lack of objection to the texts adopted at Rio+20 and other aspects of the draft resolution cannot be interpreted as a change of position on the part of my country towards UNCLOS, including, *inter alia*, its relevance with regard to the definition of a possible legal regime applicable to marine resources beyond national jurisdiction.

Finally, the lack of consensus on various issues addressed in the draft resolution, not to mention practices that are contrary to jurisprudence, highlight the need to review any future updating of the terms of the Convention, including a review of those matters that prevent this instrument from being truly universal. There are new situations for it to address. The forced extension of the principles, norms, criteria and procedures of UNCLOS has proved at the very least to be insufficient, if not counterproductive. This has affected the development of a regime that should address the most important contemporary issues relating to the oceans and seas in an inclusive and equitable manner.

In view of all of this, the Bolivarian Republic of Venezuela will abstain in the voting.

The Acting President: We have heard the only speaker in explanation of vote before the voting.

We turn first to draft resolution A/67/L.21, entitled "Oceans and the law of the sea".

I now give the floor to the representative of the Secretariat.

Mr. Zhang Saijin (Department for General Assembly and Conference Management): I would like to announce that, since the submission of the draft resolution, in addition to those delegations listed in document A/67/L.21, the following countries have

become sponsors: Argentina, Barbados, Belgium, Cameroon, Chile, Greece, Ecuador, Honduras, Indonesia, Lithuania, Luxembourg, Madagascar, Malaysia, Malta, the Federated States of Micronesia, Montenegro, the Philippines, Portugal, the Republic of Moldova, Romania, Samoa, Slovenia, South Africa, Sweden, Tonga, Ukraine and the United States of America.

The Acting President: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Belize, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Canada, Chile, China, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Fiji, Finland, France, Germany, Grenada, Guatemala, Guyana, Honduras, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Jamaica, Japan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Montenegro, Morocco, Mozambique, Myanmar, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Palau, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Vanuatu, Viet Nam, Yemen, Zambia

Against:

Turkey

Abstaining:

Colombia, Dominican Republic, El Salvador, Venezuela (Bolivarian Republic of)

Draft resolution A/67/L.21 was adopted by 125 votes to 1, with 4 abstentions (resolution 67/78).

[Subsequently, the delegation of Greece advised the Secretariat that it had intended to vote in favour.]

The Acting President: We now turn to draft resolution A/67/L.22, entitled "Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments".

I give the floor to the representative of the Secretariat.

Mr. Zhang Saijin (Department for General Assembly and Conference Management): I would like to announce that, since the submission of the draft resolution, in addition to those delegations listed in document A/67/L.22, the following countries have become sponsors: Barbados, Belgium, Canada, Greece, Honduras, Madagascar, the Federated States of Micronesia, Monaco, Montenegro, the Philippines, Portugal, the Republic of Moldova, Samoa, Slovenia, Tonga, Ukraine and the United States of America.

The Acting President: May I take it that the Assembly decides to adopt draft resolution A/67/L.22?

Draft resolution A/67/L.22 was adopted (resolution 67/79).

The Acting President: I shall now give the floor to those representatives who wish to speak in explanation of vote. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Ms. Diaz Mendoza (Bolivarian Republic of Venezuela) (*spoke in Spanish*): The delegation of the Bolivarian Republic of Venezuela would like to comment on resolution 67/79, which the General Assembly has just adopted under agenda item 75 (b), entitled "Oceans and the law of the sea: Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish

Stocks and Highly Migratory Fish Stocks, and related instruments”.

The topic of sustainable fisheries is a priority for my delegation and represents a sector of great importance. That is why significant initiatives have been undertaken to promote and implement programmes for the conservation, protection and management of marine biological resources within our national legislative framework, which seeks to harmonize the legal order with the criteria applied in this sphere by the countries of the region.

The Bolivarian Republic of Venezuela is not party to the United Nations Convention on the Law of the Sea (UNCLOS), including the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. The standards of those international instruments are not applicable in the national context, except where expressly recognized by the Bolivarian Republic of Venezuela or where they may be so in the future.

However, for the sake of consensus, my delegation did not oppose the resolution on sustainable fisheries adopted today. The Bolivarian Republic of Venezuela nonetheless reaffirms its established position regarding UNCLOS and related agreements, wherefore we express our reservations on the content of the resolution.

Mr. Martinsen (Argentina) (*spoke in Spanish*): My explanation of vote refers to resolution 67/79, on sustainable fisheries. While Argentina joined in the consensus adoption of the resolution, I wish to state once again that none of the recommendations in the text can be interpreted as meaning that the provisions of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks can be considered as binding on States that have not explicitly expressed their consent to fulfilling obligations under the Agreement.

The resolution we have just adopted contains paragraphs relating to the implementation of the recommendations of the Review Conference on the Agreement. Argentina reiterates that those recommendations cannot be considered applicable, even as recommendations, to States that are not parties

to the Agreement. This is particularly relevant in the case of States, including Argentina, that disassociated themselves from those recommendations. As it did at the sixty-sixth session, therefore, Argentina disassociates itself from the consensus reached by the Assembly with regard to the paragraphs of the resolution referring to the recommendations of the Review Conference on the 1995 Agreement.

At the same time, Argentina wishes to point out that current international law allows neither regional fisheries management organizations or arrangements nor their member States to adopt any measure with respect to vessels whose flag States are not members of such organizations or arrangements or have not expressly consented that such measures may be applied to the vessels flying their flag. Nothing in the resolutions of the General Assembly, including that just adopted, can be interpreted as in any way contrary to that conclusion.

In addition, conservation measures, the pursuit of scientific research, or any other activity recommended in the resolutions of the General Assembly, in particular resolution 61/105, are to be implemented within the irreplaceable framework of international law of the sea already in force, as reflected in the Convention, including its article 77 and Part XIII. The implementation of such resolutions cannot therefore be claimed as an alleged justification for ignoring or denying the rights established under the Convention, and nothing in the resolution adopted today or others adopted by the General Assembly is of a nature to affect the sovereign rights of coastal States over their continental shelf or the exercise of jurisdiction by coastal States with regard to their continental shelf, in accordance with international law.

Paragraph 137 of the resolution we have just adopted contains an extremely relevant reminder of that concept, as reflected in resolution 64/72 and subsequent resolutions. In that vein, paragraph 138 recognizes the adoption by coastal States, including Argentina, of measures to address the impacts of bottom fishing on vulnerable marine ecosystems in the whole extent of their continental shelf as well as their efforts to ensure compliance with those measures.

Finally, we reiterate that the growing differences concerning the contents of the resolution on sustainable fisheries seriously compromise the possibility of its consensus adoption in the future.

Mr. Şahinol (Turkey): Turkey voted against resolution 67/78, entitled “Oceans and the law of the sea” under agenda item 75 (a). I would like to recall that the reasons that have prevented Turkey from being a party to the United Nations Convention on the Law of the Sea remain valid. Turkey supports international efforts to establish a regime of the sea that is based on the principle of equity and acceptable to all States.

However, in our opinion the Convention does not provide sufficient safeguards for special geographical situations and, as a consequence, does not take into consideration conflicting interests and sensitivities arising from special circumstances. Furthermore, the Convention does not allow States to register reservations to its articles. Although we agree with the Convention in its general intent and with most of its provisions, we are unable to become a party to it owing to those prominent shortcomings. That being the case, we cannot support a resolution that calls on States to become parties to the United Nations Convention on the Law of the Sea and to harmonize their national legislation with its provisions.

As for resolution 67/79 on sustainable fisheries, adopted under sub-item (b) of agenda item 75, I would like to state that Turkey is committed to the conservation, management and sustainable use of marine living resources, and attaches great importance to regional cooperation to that end. In that context, Turkey supported the resolution; however, we dissociate ourselves from references made in the resolution to international instruments to which Turkey is not a party. Those references should therefore not be interpreted as representing any change in Turkey’s legal position with regard to those instruments.

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 75 and its sub-items (a) and (b)?

It was so decided.

The meeting rose at 6.05 p.m.