The Permanent Mission of Iceland to the United Nations

Statement by
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Counsellor

Item 74 (a) and (b)
Oceans and the law of the sea

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I would like at the outset to thank the Secretariat, including the able staff of the Division for Ocean Affairs and the Law of the Sea, for the valuable assistance provided to Member States through preparing reports and all the other activities. I would also like to thank the two coordinators, H.E. 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, on oceans and the law of the sea and on sustainable fisheries.

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The United Nations Convention on the Law of the Sea is a fundamental pillar of Iceland’s oceans policy. The Convention, the first and only comprehensive treaty in this field, provides the legal framework for all uses of the oceans as well as their superjacent air space and subjacent seabed and subsoil. It is imperative that the Convention be fully implemented and that its integrity be preserved, and we call on those States that have not yet done so to ratify the Convention in order to fully achieve the goal of universal participation.

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The three institutions established by the Law of the Sea Convention play a very important role in the implementation of the Convention and we note with satisfaction that they are all functioning well and are more active in their work than ever before.

I would like to mention, in particular, the Commission on the Limits of the Continental Shelf which has already received 75 submissions from coastal States, including Iceland, regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles. The Commission has issued 21 recommendations to coastal States so far.

The Commission thus has a considerable workload and it is imperative that everything is done to ensure that its working conditions are satisfactory. Accordingly, Iceland calls on States to work together to improve the conditions of service of the members of the Commission. It should be recalled that the recommendations of the Commission carry a particular weight as they form the basis for the establishment of final and binding outer limits of the continental shelf by coastal States.

We are pleased to note the decision, contained in the draft resolution on oceans and the law of the sea, to authorize the Secretary-General, as an interim measure and subject to conditions, to reimburse members of the Commission from developing States for the costs of medical travel insurance from the Trust Fund established pursuant to resolution 55/7 for the purpose of facilitating the participation of members of the Commission from developing States in the meetings of the Commission. We also welcome the request to the Secretary-General to provide written information on options for mechanisms to provide medical insurance coverage to members of the Commission, including costs.

Iceland furthermore welcomes the request to the Secretary-General to provide, in consultation with the Commission and before the end of April next year, written information on options for providing additional working space to the Division for Ocean Affairs and the Law of the Sea in order to ensure that the members of the Commission have sufficient working space during their work at the sessions of the Commission and its subcommittees.

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A key issue that we are currently dealing with within the field of oceans and the law of the sea is the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction (BBNJ). This issue, as such, is extremely broad in scope as it includes basically all marine life in the water column beyond the exclusive economic zone and on the seabed beyond the continental shelf.

Therefore, before a decision is taken to develop a possible implementing agreement under the Law of the Sea Convention, it is imperative to define the scope of a possible agreement in order to ensure predictability and success. We welcome the constructive exchange of views at the first and second meetings of the Ad Hoc Open-ended Informal Working Group on the subject, but at the same time emphasize the need to make progress on the definition of the scope of a possible agreement.

In the view of Iceland, if the development of an agreement will indeed be considered feasible, focus should be given to the issue of sharing of benefits from the exploitation of marine genetic resources in areas beyond national jurisdiction. Since the negotiation of the Law of the Sea Convention, there has been a huge development in the knowledge of the deep seabed and the value of marine genetic resources. It is therefore natural that the Working Group gives focus to this issue.

In contrast, care should be taken not to reopen issues that are already subject to a sufficient international legal regime. A good example of such an issue is high seas fisheries, which are subject to the legal regime of the Law of the Sea Convention that was complemented by the 1995 UN Fish Stocks Agreement. That Agreement provides the legal framework for the work of regional fisheries management organizations (RFMOs) and for high seas fisheries. The scope of a possible new instrument should therefore not include fisheries.

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The sustainable use of living marine resources is at the core of Iceland’s oceans policy and we strongly advocate the same principles in all international fora. Iceland, being an island State, located in the middle of the North Atlantic Ocean, cannot sustain its people’s livelihood without healthy oceans, marine ecosystems and resources. We emphasize that texts on any controversial issues must be balanced, take into account different views of States and in accordance with the relevant provisions of the Law of the Sea Convention.

Iceland endorses the reaffirmation, contained in the draft resolution on sustainable fisheries, of the importance of the long-term conservation, management and sustainable use of living marine resources of the world’s oceans and seas and the obligations of States to cooperate to this end, in accordance with international law, in particular the Law of the Sea Convention and, where applicable, the UN Fish Stocks Agreement. We look forward to commemorating the twentieth anniversary of the adoption of the UN Fish Stocks Agreement next year and welcome the recent ratification by the Philippines, bringing the total number of States Parties to the Agreement to 82. We strongly encourage those States that have not yet done so to use the occasion of the commemoration next year to ratify this important treaty.

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