STATEMENT ON THE INTRODUCTION OF DRAFT RESOLUTION L65 ON BBNJ

Mr. President

I have the honour to introduce draft resolution L65 on: The development of an international legally-binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

The draft resolution before us Mr. President, is a culmination of the work of two rounds of informal consultations, two rounds of exploratory discussions, and the work of small groups which are based on the recommendations of the Ad Hoc Open-ended Informal Working Group on the scope, parameters and feasibility of an international instrument under the Convention contained in paragraph 214 of resolution 69/245.

It will be recalled that the Working Group's mandate was established by resolution 66/231, and the outcome of resolution 67/78 to prepare for the decision on the development of an international instrument under the Convention to be taken at the sixty-ninth session of the General Assembly.

At the same time, during the negotiations which resulted in the conclusion of the draft resolution before us this morning delegations were cognisant of the political commitment made by Heads of State and Government in paragraph 162 of the outcome document of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012, entitled “The future we want”.

It should also be noted Mr. President that commitment made at Rio+ 20 was endorsed by the General Assembly in its resolution 66/288 of 27 July 2012, and it called for action to be taken on an urgent basis, building on 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.

The introduction of draft resolution L65 today marks another important phase as the General Assembly seeks to put measures in place to develop an international legally binding instrument under the Convention on the conservation and sustainable use of BBNJ.

It would be remiss if I did not compliment delegations for their commitment and diligence which resulted in agreement by consensus on the text now under consideration.

The draft resolution among other things, establishes a preparatory process to lay the foundation for the convening of an intergovernmental conference, under the auspices of the United Nations, to consider the recommendations of the preparatory committee on the elements and to elaborate
the text of an international legally binding instrument under the Convention on the conservation and sustainable use of BBNJ.

An examination of the document will also show that agreement was reached for the preparatory committee to convene in 2016 and 2017 as detailed in paragraph 1 (b).

As far as paragraph 1 (i) is concerned, the understanding is that the elements where consensus is not attained, even after exhausting every effort, would be presented in a separate section of the Report that the Preparatory Committee will transmit to the General Assembly.

Operative paragraph 2 of the draft resolution emphasizes the point that delegations were determined to build on previous work on the subject and as such:

Decides that negotiations shall address the topics identified in the package agreed in 2011, namely the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, environmental impact assessments and capacity-building and the transfer of marine technology;

The informal negotiations also showed that delegations wish that there should be widespread participation of all Member States in the deliberations whether from developing or developed countries as a result of the tremendous importance they attach to the work of the preparatory process and the eventual convening of the international conference. Consequently, Paragraph 5 of the draft resolution

Requests the Secretary-General to establish a special voluntary trust fund for the purpose of assisting developing countries, in particular the least developed countries, land-locked developing countries and small island developing States in attending the meetings of the preparatory committee and the intergovernmental conference referred to in paragraph 1(a) above, and invites Member States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make financial contributions to the voluntary trust fund;

Mr. President

Delegations also were quite aware of the need for the provision of the requisite resources to enable the Preparatory Committee to perform its tasks and therefore paragraph 6:

Requests the Secretary-General to provide the preparatory committee with the necessary assistance for the performance of its work, including secretariat services and the provision of essential background information and relevant documents, and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs.

Thank DOALOS for its work