

The State of Eritrea

Statement: First session of the intergovernmental conference on an international legally binding instrument under the UN convention on the Law of the Sea on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction

4 – 17 September

IGC 1: BBNJ

Madam President,

From the outset, let me align myself with and express full support for the statements made by the distinguished delegate of Egypt on behalf of G77 and China, the distinguished delegate of Algeria on behalf of the African Group, and the distinguished delegate of Bangladesh on behalf of the Least Developed Countries.

Let me join others in congratulating you on your appointment as President of the Intergovernmental Conference on marine biodiversity of areas beyond national jurisdiction.

I am sure with your able leadership we will be able to make substantial progress towards establishing a legally binding instrument to govern marine biodiversity in ABNJ.

My delegation would like to take this opportunity to reaffirm its commitment to engage in good spirit and a constructive way. We maintain our position that 'status quo' is not a viable option. The threat that governance gap of ABNJ poses to marine biodiversity and humanity is significant. Any delay in reaching an agreement means compounding existing threats.

Madam President,

Despite the common perception that the high seas are too remote to matter to coastal communities, strong scientific evidence shows the ocean is a highly interconnected ecosystem. For example, a number of fish species use the high seas at different stages of their lifecycle for feeding and spawning, which is why protecting it is critically important to coastal communities' livelihoods and economies. Moreover, as the distinguished delegates from Barbados, Palau and Tuvalu reminded us, the cultural and livelihood significance of ABNJ to these communities cannot be understated.

We believe, for this very important process to be effective and fair, it is crucial the people living in coastal communities in the least developed countries (LDCs) and small island developing states (SIDS) and other developing countries are listened to and have an active role in protecting and sustainably managing the ocean. They are among those most affected by the impacts of how the ocean is used and protected.

Any measure to govern marine biodiversity in ABNJ must make sure that any activity in these waters benefits everyone. People must be at the forefront of the discussion. We will work earnestly and engage constructively with all informal working groups to ensure our approach is people centred.

My delegation firmly believes that this is best achieved by ensuring the Principle of Common Heritage of Mankind is enshrined in the treaty.

In light of this, and in relation to the four key elements for discussion my delegation would like to summarise its position as follows:

- 1- **Benefit sharing in relation to MGRs:** Discussions have thus far mainly focused on which marine genetic resources would be covered by the new instrument and which benefits would be shared but have not focused enough on how these benefits can be shared equitably. Since most developing countries in general and the Least Developed Countries (LDCs) in particular are not currently conducting research on marine genetic resources of areas beyond national jurisdiction, an international mechanism and criteria for sharing both monetary and non-monetary benefits equitably can enable these countries, beyond just being passive beneficiaries, to identify the benefits that best allow them to participate in — and benefit from — marine research, achieve sustainable development and respond to the global threats to the health of oceans.
- 2- **ABMTs including MPAs:** The equitable distribution of benefits from conservation of the high seas should also be at the core of the discussion. It is important that any new legal instrument recognises that when ABMTs including MPAs are designated they consider how they will affect vulnerable coastal communities. One of the criteria used to determine and designate an MPA for instance should be socioeconomic factors (such as distribution of benefits by geographical region). These areas linking territorial waters to the high seas are critical both for protecting marine species and helping to restore coastal fisheries, which are vital to sustaining the livelihoods of people in vulnerable coastal communities.
- 3- **EIAs:** EIAs to assess the impact of an activity should be mandatory for any activity under the jurisdiction or control of a party to the instrument that has the potential to cause direct or indirect social or environmental impact to BBNJ or to areas within national jurisdiction of other states. We also believe that establishing a contingency fund would allow parties to mitigate and/or restore ecosystems from potential impacts of activities on BBNJ and on areas important for biodiversity and ecosystem services within national jurisdiction.
- 4- **Capacity building and tech transfer:** Any new legal instrument under the Law of the Sea on the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction must safeguard, clarify and strengthen existing standards on capacity building and technology transfer including the UN Technology Bank. This is in relation to the 2011 Istanbul Programme of Action which called for the establishment of a technology bank dedicated to least developed countries, a long-standing priority of the LDCs confirmed in the 2015 Addis Ababa Action Agenda and in Sustainable Development Goal 17. The new instrument must establish an enabling governing framework for addressing power imbalances in the context of scientific cooperation, information sharing, capacity building and technology transfer.

Madam President,

What next? At the prepcom phase, thanks to the good spirit, dedication and determination of the delegates in the room and all stakeholders involved, we have made encouraging progress. We have identified several areas of convergence and obviously some that may require further discussion. The foundations are now in place for a new treaty that is fair and equitable for everyone. It is therefore, the hope and ambition of my delegation to see a first draft of the treaty by the next IGC. The elements of the treaty could be discussed to iron out differences accordingly.

We have full confidence in your able leadership that you will be able guide us and lead us to a successful outcome.

Madam President,

Let me reiterate that we cannot afford to keep the status quo. We need measures in place to make sure that 50 per cent of the planet will be sustainably managed and equitably shared with 100 per cent of the world's population and that the ocean is protected for our children, grandchildren and beyond.

I thank you.

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