

PACIFIC SMALL ISLAND DEVELOPING STATES

United Nations Member States



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**Statement by the Pacific Small Islands Developing States
at the opening of the Second Substantive Session of the Intergovernmental
Conference on 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**

Monday 25 March 2019, New York

Madam President,

I have the honor to speak on behalf of the 12 Pacific Small Island Developing States with presence at the United Nations, namely; the Federated States of Micronesia, Kiribati, Republic of Marshall Islands, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Fiji, and we are pleased to be, once again, joined in this statement by Cook Islands.

We align ourselves with the statements delivered by the respective Chairs of the Group of 77 and China, the Alliance of Small Island States and the Pacific Islands Forum.

The PSIDS is pleased to welcome you back to New York and commend you for your continuing strong leadership and the open, transparent manner and proactive outreach and dialogue leading up to each of the formal sessions of this process, which we would further encourage.

We also commend you, for the timely provision of the President's *Aid to Negotiations* document, which represents a good balance and a solid platform to go forward. It was a useful guide in assisting our preparations for this session. We are particularly pleased that the document reflects a number of issues, principles, and approaches of particular importance for the PSIDS, including, but not limited to, robust benefit-sharing, the special case of SIDS, adjacency, the avoidance of disproportionate burden of conservation, and traditional knowledge. We also note

that references to the adverse effects of climate change and Ocean acidification are minimal in the document, despite their clear relevance to the BBNJ instrument. For us, the BBNJ instrument must promote greater coherence with and shall complement existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies, in a manner that does not undermine the effectiveness of those instruments, frameworks and bodies. We look forward to discussing these and other points with fellow delegations in this session.

Madam President,

For the PSIDS, as large Ocean States, whose people's lives and livelihoods are intrinsically linked with the Pacific Ocean, the UN Convention on the Law of the Sea provides the legal framework for all activities related to the oceans and seas, including the conservation and sustainable use of oceans and their resources. These negotiations therefore are of utmost priority to us, as we fill in critical gaps in international law that will specifically address the marine biological diversity of areas beyond national jurisdiction.

We cannot overstate our unique and special circumstances and those other Small Island Developing States that need to be adequately taken into consideration in this process to ensure that the final outcome will fairly reflect and incorporate those circumstances.

During this phase of our work we would caution against parallel meetings given our capacity constraints. We also request that critical information on the modality of work at this IGC be conveyed to delegations well in advance.

Madam President,

We therefore reaffirm our commitment to work constructively with you and the Bureau members, as well as other delegations and stakeholders to ensure that we conclude a 'fair and equitable', balanced, universal and practical *International Legally Binding Instrument* that helps address the tragedy of the commons.

Thank you.
