



**STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA, BY MR. FUAD BATEH, SENIOR ADVISOR, STATE OF PALESTINE MISSION TO THE UNITED NATIONS, UNDER AGENDA ITEM 7 OF THE SECOND 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 (New York, 5 APRIL 2019)**

**On the preparation of the President's draft IBLI text-based document.**

Thank you Madam President,

I have the honour to make this statement on behalf of the Group of 77 and China.

Madam President,

At the outset, allow me to express the satisfaction and gratitude of the Group of 77 and China for the excellent manner in which the four facilitators of the informal working groups – as well as yourself – have managed to steer and guide our work. The Group of 77 and China would like to acknowledge their leadership and expertise, which enriched our deliberations.

The Group of 77 and China believe that the deliberations that took place in the informal groups show clearly the seriousness of member states and relevant stakeholders in moving this process forward, and the importance they attach to advancing the conservation and sustainable use of marine biological diversity of our Oceans, including Areas Beyond National Jurisdiction.

The Group of 77 and China acknowledge the fact that we might not all share identical views or positions, nevertheless we share the same interests in properly addressing the question of biodiversity beyond national jurisdiction and in the conservation and sustainable use of our Oceans. As the way to obtain this is through the negotiation of a universal instrument that is open to ratification by all States interested in the conservation and sustainable use of marine biodiversity, we trust that the draft will include the corresponding provisions.

The Group of 77 and China have expressed on many occasions its support for moving this process forward. Therefore, the preparation of a document by the President, without options, that will enable drafting negotiations, towards an international legally binding instrument is greatly anticipated by the world.

The Group of 77 and China are of a view that having a text-based document, in the language of a treaty, will be conducive to even more deliberative and substantive discussions; it will also allow member states to put their hands on areas of consensus, as well as identify the challenges ahead. This zero-draft document will certainly motivate delegations to elaborate and figure out new approaches and possible ways to bridge gaps and consider compromises. In this regard, we would like to see treaty articles throughout the text, to allow us to move further into text-based negotiations.

The Group of 77 and China trust your ability Madam President to fulfill the task of producing a negotiating text-based document to be circulated in a timely manner prior to the third substantive session of the Intergovernmental Conference.

There are one hundred thirty-five days until the third session opens, and it is our hope that by day number sixty-eight – a halfway point – we could receive the zero draft document to begin our deliberations and coordination in advance of the second to last session of the Intergovernmental Conference.

The Group of 77 and China underline the necessity to grant enough time to allow delegations to be better prepared before the third session of the Conference, including conducting proper consultations with their capitals as well as to give the opportunity for different groups to coordinate their common positions.

The Group of 77 and China believe that you Madam President have the well-needed knowledge and expertise to draft a balanced text-based document that comprehensively reflects positions expressed during the first and second sessions, as well as the previous four sessions of the PrepCom, and we put our full trust in you.

This text-based document based on member state's positions and suggestions should be of a legal nature to facilitate transparent and constructive negotiations. This will enable more productive deliberations aimed at addressing concerns expressed by different delegations, and assisting the possibility of making compromises and ultimately reaching consensus.

Finally, as this will be the last intervention by this delegation during the second session, I would like to thank all delegations for their active and serious engagement during our deliberations, and once again thank the facilitators for their crucial role throughout the Intergovernmental Conference, as well as to express appreciation for all the support provided by DOALOS, and last but not least to commend you Madam President for all your efforts and hard work.

We do trust that you Madam President are up to the task and that you will be able to guide us wisely on the way forward.

I conclude by wishing you Madam President best of luck.

Thank you.