

STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY H.E. AMBASSADOR FEDA ABDELHADY-NASSER, STATE OF PALESTINE, CHAIR OF THE GROUP OF 77, AT THE OPENING OF THE THIRD 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, 19 AUGUST 2019)

Madame President,

I have the honor to speak on behalf of the Group of 77 and China.

At the outset, the Group of 77 and China would like to add our voice to others expressed throughout the year in celebration of the 25th anniversary of the entry into force of the United Nations Convention on the Law of the Sea.

Allow us to be the first today to congratulate Madame President, Mrs. Rena Lee of Singapore, for the tremendous work in the elaboration of the draft text of an agreement 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.

At the conclusion of IGC2, we entrusted to you the production of a zero-draft treaty text, and we are pleased that you have responded by providing delegations with a solid basis for negotiations in a short period of time.

All Member States of the G77 & China remain fully and determinedly committed to shepherd these negotiations forward, working with all due speed and diligence to see a treaty enter into force that responds to our shared goals and values. Every delegation can count on that commitment. We believe the draft treaty document prepared serves as a valuable tool for substantive negotiations on the topics identified in the package agreed in 2011. The Group of 77 & China have had the opportunity to consider and discuss the draft text, and it has allowed us to conceptualize the internationally legally binding instrument we would all desire. Our group is composed of a very large set of countries eager and committed with this process, and this is why we also stress the need to count with a universal instrument that is open to ratification by all States, including both parties and non-parties to UNCLOS, as we have previously agreed.

Madame President,

In this process, all delegations set as our clear goal the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. This goal can only be achieved when guided by the bedrock principle of the Common Heritage of Mankind. We remain fully committed to this principle and to its effective implementation. The oceans

and seas beyond national jurisdiction – common to us all – are to be treasured for the benefits that shall be shared equitably with due regard for future generations. Therefore, we would seek to have the Common Heritage of Mankind reflected directly in the treaty text, and we would ensure it is fully operationalized in the relevant parts of the agreement.

Madame President,

Rest assured that the Group of 77 and China is willing and eager to engage with all partners to get the most out of the third session in order to advance this process. Although the Group of 77 and China underlines the importance of balanced progress on the four topics identified in the package together and as a whole, the Group of 77 and China will put additional emphasis on the topic of Capacity Building and the Transfer of Marine Technology. These fine words are enshrined in UNCLOS, but their implementation has fallen far short of the expectation of developing countries. The appropriate diffusion of technology, specifically marine technology, must be viewed as a public good - facilitating access to such technologies, and building the capacity of people to benefit from them, benefits us all.

In furtherance of this emphasis, we take the opportunity to highlight and extend an invitation to all delegations, stakeholders and attendees present here of a G77 side event during lunch today entitled a “Roundtable focused on BBNJ Capacity-Building” to hear an exchange of views from representatives of delegations negotiating the text during the third session of the Conference. Further, the G77 Chair is actively seeking to support additional initiatives to catalyze progressive discussions of the capacity-building solutions required for developing countries.

We shall also give special attention to the importance of access to and fair and equitable benefit-sharing of MGRs, covering monetary and non-monetary benefits, and to address properly - through well-established tools - the conservation and sustainable use of Marine Biodiversity in ABNJ. The Group of 77 and China reiterates that the new instrument must ensure that the special requirements of developing countries for capacity building and transfer of marine technology are understood, with a view to enabling them to assume their responsibilities and obligations under the new instrument.

Madame President,

We trust in your wisdom and jurisprudence in shepherding the way forward through constructive and positive negotiations of the draft treaty text in this third session, as we assure you of our commitment to negotiate in good faith and with the determination to conclude negotiations as soon as possible.

Finally, the Group of 77 and China would like to reiterate its confidence in your able leadership and guidance leading the IGC to reach a successful conclusion. We would like to assure you Madame President of our full support and disposition to constructively engage in productive negotiations with the aim to successfully fulfill our mandate for the benefit of all humankind.

Together we aspire, together we achieve.

I thank you.