

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  
First Substantive Session

**General Statement by the Republic of Korea (agenda item 6)**

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Thank you, Madame President,

Before making a few brief remarks, I would like to congratulate you on your assumption as the President. I have every confidence that, under your able leadership, the first session of the Intergovernmental Conference will prove a resounding success. I would also like to take this opportunity to extend my sincere gratitude to the Secretariat for the excellent organization of this session.

Madame President,  
Distinguished delegates,  
Ladies and gentlemen,

On behalf of my delegation, I would like to share with you a few thoughts for our consideration.

First of all, as recognized in the United Nations General Assembly resolution 72/249, any legally binding instrument relating to the marine biological diversity of areas beyond national jurisdiction under the UN Convention on the Law of the Sea would secure the widest possible

acceptance and therefore, the Intergovernmental Conference should spare no effort to reach in good faith an agreement on the substantive matters facing us. I am looking forward to having constructive discussions with the distinguished delegates during the Conference, bearing in mind such a mandate. Hopefully, we will be able to discuss the preparation of a zero draft of an international legally binding instrument, *after* reaching a consensus on the elements of the zero draft to be prepared.

I would also like to stress that, as recognized in the same resolution, this process and its result should not undermine existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies.

Second, an international legally binding instrument should assure free access to the marine genetic resources of areas beyond national jurisdiction, in accordance with the freedom of the high seas embodied in the UN Convention on the Law of the Sea. If this instrument were to include the benefit sharing as one of its elements, we need to find a practical arrangement including what is based on the voluntary basis. In this respect, my delegation is of the view that such an instrument does not need to address the principle of the common heritage of mankind.

Third, in respect of the areas-based management tools, including marine protected areas, an international legally binding instrument should respect the relevant rights and obligations of States arising from existing instruments, mechanisms and frameworks. In particular, measures to be taken under any future instrument should not be incompatible with the rights and obligations under Parts VII (High Seas) and XII (Protection and Preservation of the Marine Environment) of the UN Convention on the Law of the Sea.

Fourth, with regard to environmental impact assessments, we are of the view that they should be a useful tool to minimize the adverse impact of activities that might cause substantial pollution of or significant and harmful changes to the marine environment of the areas beyond national jurisdiction, rather than imposing undue restraints on legitimate activities.

In this regard, my delegation hopes to have productive talks on a reasonable and efficient process and modalities for environmental impact assessments during this Intergovernmental Conference.

Last, but not least, under paragraph 2 of Article 266 of the UN Convention on the Law of the Sea, States shall promote the development of the marine scientific and technological capacity of other States which may need and request technical assistance in this field. My delegation believes that the States' obligations in relation to the capacity-building and the transfer of marine technology should be voluntary and based on their capabilities, as provided in the Convention and other international instruments and bodies.

Madame President,

My delegation is looking forward to engaging in constructive and meaningful discussions in the coming days. Let me assure you that we will do our utmost to contribute to the development of an international legally binding instrument under the UN Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

Thank you.

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