

SINGAPORE'S INTERVENTION ON AGENDA ITEM 6: CONSIDERATION OF THE SUBJECT MATTER REFERRED TO IN PARAGRAPHS 1 AND 2 OF GENERAL ASSEMBLY RESOLUTION 72/249, INSTITUTIONAL ARRANGEMENTS, AT 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, 3 APRIL 2019 (PM)

Singapore's position has generally been to make use of existing mechanisms where possible and to only establish new ones where they were necessary and cost-effective. We also agree with the "form follows function" principle. Many of these decisions on institutional arrangements are therefore contingent on the substantive content of the Instrument. We do also recognise that subsidiary bodies under the Instrument can and should, if required, be established subsequently.

With respect to text itself, my delegation aligns with the interventions made by Palestine on behalf of the Group of 77 and China, and by Belize on behalf of AOSIS.

I will go into three specific points in this intervention.

The first relates to **the decision making body/forum**. In particular, in sub-section (2), we are in favour of Option I and specifically on sub-paragraph (f), our preference is for Option A which is the establishment of processes for cooperation and coordination. This is actually wider than Option B which seems only to be limited to the conduct of cooperation programmes.

Turning to sub-paragraph (k), we also have the same reservations as expressed by others in relation to the ability to institute proceedings on behalf of the States parties in cases of non-compliance. We should consider if it makes more sense to simply use the Convention's existing dispute settlement mechanism under Part XV of the Convention, in order to deal with the situation.

We have no additional points to make with respect to the scientific/technical body.

My third point is in relation to **other subsidiary bodies**. In relation to Option I, which we prefer (in line with G77 and China), there is need for streamlining this Option. For example, in Option I sub-section (4), since a capacity-building and transfer of marine technology committee is already envisaged in Option I sub-section (2), we are not sure whether there is a need to automatically establish separate regional committees on capacity-building and the transfer of marine technology. Our concern with this automaticity is that this approach entails additional resources and funding. In some senses, we need to bear in mind that if subsidiary bodies can be established under the Instrument subsequently by the decision-making body where necessary, we need not be too detailed and prescriptive at this point of time.