

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, MARINE GENETIC RESOURCES, INCLUDING QUESTIONS ON THE SHARING OF BENEFITS, 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, 27 MARCH 2019

Much of what my delegation has to say has been covered by the State of Palestine on behalf of G77+China. I wish to make two points here.

First, pertaining to 3.1 (Scope), (2)(c) Option A, I had comments on two of its sentences. On the second sentence which begins “Consultations ... with a view to avoiding infringement of such rights and interests”, my delegation’s view is that we need to weave in some form of trigger which would provide that this consultation and prior notification will take place if a certain or anticipated level of impact arises. Certainly, it is not meant to be a completely open-ended obligation.

With respect to the third sentence, which begins “In cases where activities with respect to MGRs ...” and envisages the prior consent of coastal State concerned, as currently phrased, it probably goes too far to provide a coastal State what is effectively a veto with respect to activities, especially as the trigger for this is simply a “may result in exploitation of MGRs”.

Second, pertaining to 3.2.1 (Access), and this relates to sub-section (8) concerning the issue of traditional knowledge, my delegation had fairly similar questions as those raised by the European Union yesterday. This is in relation to how we would operationalise this particular paragraph in the sense of how one would ascertain which indigenous peoples and local communities whose informed consent or approval should be obtained and whether there is a way of tracking and adhering to the obligation.

We have listened to the intervention by Fiji on behalf of PSIDS. I did not capture the whole proposal but we look forward to seeing it and reflecting on the mechanism that was articulated by Fiji. It would be helpful if we could have this in written form.

Those were my two points. Thank you.