



**PERMANENT MISSION OF THAILAND  
TO THE UNITED NATIONS**

351 EAST 52<sup>nd</sup> STREET · NEW YORK, NY 10022

TEL (212) 754-2230 • FAX (212) 688-3029

**Statement**

**By**

**His Excellency Mr. Supark Prongthura  
Ambassador and Deputy Permanent Representative  
Chargé d'affaires *ad interim*,**

**Permanent Mission of Thailand to the United Nations, New York**

**on Item 5 “General Exchange of Views”**

**at 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**

**United Nations Headquarters, New York  
19 August 2019**

Madam President,

1. At the outset, my delegation would like to align itself with the statement delivered by the distinguished representative of the State of Palestine on behalf of the Group of 77 and China.

2. I would like to take this opportunity to express how pleased we are to see you presiding over this third substantive session of the intergovernmental conference on the BBNJ. We also wish to commend the work of Madame President and your team for preparing the draft text of an agreement, which is well-ordered in the form of treaty text and based upon the inputs and comments arising from our discussions at the first and second session of IGC. My delegation truly believes that this draft text will serve as a good basis for further deliberations and pave the ways towards the ultimate goal of a constructive and well-balanced legal instrument of BBNJ.

Madame President,

3. On substantive matters, my delegation wishes to highlight a few issues that are of importance to my delegation. Firstly, regarding the General Principles and Approaches of this Agreement, we would like to reiterate the views we made during the first and second IGC session. That is, the **principle of common heritage of mankind** should be the overarching principle applied throughout the instrument, including marine genetic resources and the sharing of benefits.

4. With respect to the **fair and equitable sharing of benefits**, my delegation is of the view that benefit sharing of marine genetic resources should primarily contribute to the overall objective of the legally binding instrument, namely conservation and sustainable use of BBNJ. In addition, it should also benefit States in terms of capacity building and transfer of marine technology, considering that there are differences on the levels of capacity of developing and developed States in accessing and utilizing marine genetic resources of areas beyond national jurisdiction. Furthermore, in order to ensure that benefits deriving from marine genetic resources will be shared in a fair and equitable manner among developed and developing States, we should also take into account principles and approaches as reflected in the relevant existing international instruments, such as the Nagoya Protocol and the FAO's International Treaty on Plant Genetic Resources for Food and Agriculture.

5. Secondly, on the topic of **areas-based management tools, including marine protected areas**, we should attach great importance on the establishment of such marine protected areas in order to ensure the effective protection of BBNJ, as also in line with the Sustainable Development Goals. In this regard, we are pleased to see that the scientific criteria for identifying Ecologically or Biologically Significant Marine Areas (EBSAs) under the Convention on Biological Diversity (CBD) appear, as a good reference, in the draft text as the criteria for the identification of areas requiring protection. Additionally, my delegation wishes to highlight the establishment of an effective network of ABMTs, including MPAs, based on scientific knowledge and the effective cooperation and coordination among States concerned.

Madam President,

6. Thirdly, my delegation would like to emphasize that the **environmental impact assessments** (EIAs) is a significant process in relation to the marine environmental protection. What is important to my delegation is that the inclusive participation of States and related stakeholders should be recognized throughout the process of EIAs, including at the stage of public notification and consultation.

7. Fourthly, with respect to **capacity building and transfer of marine technology**, we are of the view that such issues should benefit developing States, based on their needs and priorities, in undertaking and implementing obligations under the instrument. As previously reiterated during the last session of IGC, the draft text should provide obligations for States to cooperate, provide assistance and promote CB-TMT including marine scientific research based on Part XIII and Part XIV of UNCLOS.

8. In closing, and looking ahead, Madam President, please allow me to assure you of my delegation's full support and cooperation in the work under your able guidance and leadership. It is also my delegation's sincere hope that the constructive discussions, negotiations and fruitful outcome of this session will reflect well-balanced interests of all different groups and countries and finally lead to the successful concluding of the legal instrument on the conservation and sustainable use of BBNJ.

Thank you.

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