

United States Statement

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

Agenda Item 6: General Exchange of Views

September 5, 2018

Madam President,

Thank you for presiding over this first session of the Intergovernmental Conference established by General Assembly resolution 72/249. We look forward to informative discussions and we have great faith that, under your leadership, we will have fruitful and productive results with respect to this important topic. We particularly appreciate the high quality of the Aid to Discussion that you produced.

Distinguished Colleagues,

The United States supports the sustainable use, management, and conservation of the ocean and its resources. We are working to ensure the ocean is clean, safe, and productive. We recognize that a healthy and productive marine environment is fundamental to supporting the blue economy.

We are pleased to be participating in this conference and are hopeful that we can make progress toward our goal of conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction.

We believe that a new BBNJ agreement should result in meaningful, science-based conservation and sustainable use of BBNJ and should promote research and development – which benefit all people.

We must ensure that a new agreement is consistent with the existing LOS regime, which is so important to all States. And we must ensure it does not undermine or duplicate existing relevant instruments, frameworks, or bodies, or their respective mandates. We all share that objective, and this is clearly reflected in Resolution 72/249.

We welcome, in particular, discussions on the topics of area-based management tools and environmental impact assessments, and how a new agreement could be used to enhance the conservation and sustainable use of BBNJ. The difficult question before us is how to do this in a meaningful way without undermining the beneficial work of existing relevant instruments, frameworks, and bodies.

Regarding marine genetic resources, there are a number of difficult questions before us. We continue to have concerns about whether a benefit sharing regime can be successfully negotiated. The many references to Common Heritage of Mankind that we have heard so far make us wonder whether we are getting closer to any sort of workable compromise. At the very least, such a regime must promote and not stifle or impede exploration, science, innovation, and entrepreneurship. It must not undermine the existing intellectual property rights regime. And it must be consistent with the Law of the Sea Convention.

We also want to stress the importance of an eventual agreement meeting the legitimate needs of all States. We must not negotiate an agreement that might be acceptable to a majority but that leaves States with key interests out of the picture.

Furthermore, we believe the only way to achieve a strong, broadly-supported agreement is to negotiate text. We have all spent many days in general discussions of the issues. Now we are embarking on a new phase. The intergovernmental conference must move beyond general discussions to work on specific textual proposals, negotiated by delegations line-by-line.

We are ready to work hard with all delegations to find common ground and negotiate a balanced agreement that advances our shared goals of conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction.