

TWENTY-FOURTH SESSION OF THE ASSEMBLY OF THE
INTERNATIONAL SEABED AUTHORITY

STATEMENT BY ALICE HICUBURUNDI, SENIOR LEGAL OFFICER
DIVISION FOR OCEAN AFFAIRS AND THE LAW OF THE SEA
OFFICE OF LEGAL AFFAIRS, UNITED NATIONS

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Mr. President,

As I am taking the floor for the first time at this session of the Assembly, I wish to congratulate you, on behalf of the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations, on your election to the presidency of the Assembly. [I also take this opportunity to congratulate the members of the Bureau [as well as the other elected or re-elected officials at this Assembly].

Mr. President, through you, I also wish to congratulate the Secretary-General of the International Seabed Authority for his comprehensive report to the Assembly, pursuant to article 166 of the United Nations Convention on the Law of the Sea.

In addition, let me express the deep appreciation of the Division to the Secretariat of the Authority for its active participation in United Nations activities on oceans and the law of the sea matters, in particular for its contributions to the twenty-eighth Meeting of States Parties and to the organizational meeting of the Intergovernmental Conference convened by the United Nations General Assembly resolution 72/73 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.

The Division also expresses its gratitude to the Secretariat of the Authority for its contributions to the annual reports of the Secretary-General on ocean affairs and the law of the sea prepared by the Division and, more generally, for its continued excellent cooperation with the Division, including within the context of the UN-Oceans, the inter-agency mechanism for cooperation and coordination on coastal and oceans matters.

Mr. President, Distinguished delegates,

As you are all aware, the Office of Legal Affairs, through the Division, discharges most of the functions of the Secretary-General under the Convention and the United Nations Fish Stocks Agreement, as well as responsibilities entrusted to it pursuant to the mandates contained in the annual resolutions of the General Assembly on oceans and the law of the sea and sustainable fisheries. Since 2015, the Division also performs specific functions pursuant to General Assembly resolutions on the development of an international legally-binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

On behalf of the Director of the Division, Ms. Goettsche-Wanli, I would like to provide you with a brief update on oceans–related meetings held at United Nations Headquarters this year, beginning with the process I just

referred to, on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

Mr. President, Distinguished delegates,

The importance of marine biodiversity, including beyond areas of national jurisdiction, for global food security, healthy functioning marine ecosystems, economic prosperity and sustainable livelihoods cannot be overstated. However, numerous and diverse pressures from human activities and growing evidence of the degradation of the ocean ecosystems and their biodiversity raise serious concerns for the international community which considered that there was an urgent need to address the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction.

After more than ten years of discussions, including on whether there is a governance or regulatory gap, and if so, how it should be addressed, in 2015, the General Assembly decided to develop an international legally binding instrument under the United Nations Convention on the Law of the Sea (UNCLOS) on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

To that end, an Intergovernmental Conference is being convened, under the auspices of the United Nations, pursuant to General Assembly resolution 72/249 of 24 December 2017. The mandate of the Conference is to consider the recommendations of the Preparatory Committee, which convened in 2016 and 2017 pursuant to resolution 69/292, on the elements of a draft text of an international legally binding instrument and to

elaborate the text of such an instrument with a view to developing the instrument as soon as possible.

The negotiations at the Conference are to address the topics identified in a package agreed in 2011, namely, the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas, environmental impact assessments and capacity-building and the transfer of marine technology.

The General Assembly reiterated that the work and results of the Conference should be fully consistent with the provisions of the Convention and the process and its result should not undermine existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies (72/73, paras. 6–7).

In its resolution, the Assembly further decided that, initially with respect to 2018, 2019 and the first half of 2020, the conference shall meet for four sessions of a duration of 10 working days each, with the first session taking place in the second half of 2018, the second and third sessions taking place in 2019, and the fourth session taking place in the first half of 2020.

The Conference was also mandated to hold an organizational meeting to discuss organizational matters, including the process for the preparation of the zero draft of the instrument. The outcome of this meeting convened in New York, from 16 to 18 April 2018, as reflected in the statement of the President of the Conference, Mrs. Rena Lee of Singapore is published in all

official languages on the Conference website hosted by the Division (at <https://www.un.org/bbnj/>). Mrs. Lee, who is also a distinguished member of the Legal and Technical Commission of the Authority, was elected President of the Conference by acclamation at the organizational meeting.

As part of the preparations for the first substantive session of the Conference, to be held in New York, from 4 to 17 September 2018, and upon request by the Conference, the President has prepared a “President’s aid to discussions”. This document as well as the provisional agenda and work programme of the first session have also been issued in all official languages of the United Nations and are available on the Conference website.

Mr. President, Distinguished delegates,

Turning to the twenty-eighth Meeting of States Parties to the Convention (12 to 16 June 2017), States Parties took note, inter alia, of a number of reports relating to the International Tribunal for the Law of the Sea and of the information reported on the International Seabed Authority by the Secretary-General.

Following the presentation by the Secretary-General of the Authority, delegations expressed ongoing support and appreciation for the work of the Authority. In particular, they welcomed the continuing work of the Authority in the development of a comprehensive regulatory framework for the exploitation of marine minerals in the Area including wider engagement with stakeholders and collaboration with experts on the development of a payment mechanism and financial model. The work of the Authority regarding regional environmental management plans

(REMPs) was welcomed by many delegations and a delegation pointed out that the Authority could be a leader in this area.

Appreciation was also expressed by many delegations for the draft strategic plan and several delegations underlined the open and inclusive manner of the related consultations.

With regard to the general and systematic review of the manner in which the international regime of the Area established in the Convention has operated in practice, pursuant to article 154 of the Convention, States Parties noted progress in the implementation of the related recommendations, including the revised schedule of meetings, which would facilitate dialogue between the Legal and Technical Commission and the Council and contribute towards the finalization of the Exploitation Regulations.

Finally, several delegations continued to express concern over the issue of arrears. They urged greater attendance at meetings of the Authority and welcomed in that regard, the establishment of the new trust fund to support the participation of members of the Council from developing States.

Mr. President, Distinguished delegates

The 28th Meeting of States Parties also received information from the Chairperson of the Commission on the Limits of the Continental Shelf. I wish to recall that the Commission facilitates the implementation of the Convention by making recommendations to coastal States on matters related to the establishment of the outer limits of the continental shelf beyond 200 nautical miles. The recommendations are based on the

examination of complex scientific and technical data and other information included in the submissions to the Commission by States Parties to the Convention.

The delineation of the outer limits of the continental shelf by coastal States, on the basis of the recommendations of the Commission, is of direct relevance for the work of the Authority and for the future implementation of article 82 of the Convention. The outer limits of the continental shelf not only bring clarity to the limits of national jurisdiction but also to those of the Area. Details on the work of the Commission and in particular progress on its consideration of the various submissions at its 46th session held from 29 January to 19 March 2018, are included in the Statement of the Chair of the Commission, published as document CLCS/103.

At the Meeting of States Parties, many delegations expressed appreciation and support for the work of the Commission since its establishment, especially in light of the challenges faced with respect to its high workload and working conditions. Several delegations highlighted the importance of the work of the Commission for the implementation of the Convention in general and for coastal States.

Discussions focused on issues relating to membership, working arrangements and workload and conditions of service of its members. Many delegations noted, with appreciation, the measures taken by the Commission to improve its working methods, following the discussions at the twenty-seventh Meeting of States Parties, in particular, for the subcommissions to provide more regular and comprehensive reports on their progress. They welcomed this approach as it would contribute to the

coherence and transparent work of the Commission and its subcommissions.

With regard to the increasing workload of the Commission, several delegations noted with appreciation that the Commission would continue to implement the measures proposed at the twenty-sixth Meeting (see SPLOS/303, para. 84), including its decision to meet for 21 weeks per year. A number of delegations supported the Commission in its decision to proceed as quickly as possible through the backlog of submissions in a timely manner, without compromising the high standards of consideration of all relevant data and information submitted by coastal States. A delegation welcomed the Commission's decision to take up new submissions when the examination of those under consideration needed to be suspended while the submitting States gathered additional data and information, to ensure that the Commission made maximum use of its sessions. Many delegations underscored that it was critical for the Commission to have full membership and attendance at its meetings to carry out its work in the most efficient manner.

Mr. President, distinguished delegates,

A number of other General Assembly processes are also undertaking important work relevant to the work of the Authority.

With reference to the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, you may wish to recall that the First World Ocean Assessment was released at the end of 2015. The report, which is a major outcome of the first cycle of the Regular Process (2010-2014), focused on establishing a baseline study

to allow scientists and policy-makers to track changes in the global state of the marine environment. It provides information on issues such as “Offshore Mining Industries”, “Hydrothermal Vents and Cold Seeps” and “Biological Communities on Seamounts and Other Submarine Features Potentially Threatened by Disturbances.

The second cycle of the Regular Process was launched by the General Assembly in December 2015, and runs from 2016 to 2020. The two major outputs of the second cycle are the preparation of the second World Ocean Assessment and technical abstracts in support for other ocean-related intergovernmental processes. The scope of the second assessment is to evaluate trends and identify gaps. The outline of the assessment dedicates in its Part V on “Trends in pressures on the marine environment” a chapter on “Changes in seabed mining, including mining beyond national jurisdiction.

Mr. President, Distinguished delegates,

The preparation of the second world ocean assessment will require a large Pool of Experts with individuals with expertise in a wide range of subjects, appointed in accordance with the mechanism for the establishment of the Pool of Experts for the second cycle of the Regular Process. Accordingly, States are encouraged to appoint additional experts, including through their Designated National Focal Points.

Moreover, relevant intergovernmental organizations, including the Authority, can also recommendations to the Bureau of the Ad Hoc Working Group of the Whole on the Regular Process, through the secretariat, on experts with the required professional expertise. The Bureau of the Ad Hoc

Working Group of the Whole on the Regular Process will then, through the secretariat, transmit the names of the experts to the respective States of the experts' nationalities for their appointment.

A second round of regional workshops, scheduled to begin in the second half of 2018, is meant to inform the preparation of the second world ocean assessment, and to, inter alia, inform the collection of regional-level information and data for the preparation of that assessment. The first workshop will be held in Koror, Palau from 8 to 9 August 2018.

A Multi-stakeholder Dialogue / Capacity-building Partnership Event on the Regular Process will take place in January 2019 at United Nations Headquarters in New York. The event is expected to provide an opportunity to build awareness and collaboration with respect to capacity-building in support of the Regular Process, including in relation to building capacity to participate in, and make use of, assessments.

Finally, I would like to refer to the Nineteenth Meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, held in New York from 18 to 22 Jun2 2018. The Informal Consultative Process is recognized by Member States as a unique forum to discuss issues related to oceans and the law of the sea, taking into account the perspective of sustainable development and with an emphasis on identifying areas where coordination and cooperation at the intergovernmental and inter-agency levels should be enhanced. This year's meeting focused on "Anthropogenic underwater noise", a pervasive global issue. Many human activities, including mining, introduce sound into the marine environment with a wide range of effects on many types of marine

biota, as well as resulting socioeconomic impacts. Cooperation and coordination, within and across different sectors, is thus vital to building capacity, further developing scientific understanding of anthropogenic underwater sound and addressing its impacts in a cross-sectoral and integrated manner. As concluded in the report of the Secretary-General on oceans and the law of the sea, more action is thus needed to foster greater cooperation and coordination to address anthropogenic underwater noise and its potential transboundary impacts and also to address cumulative impacts.

Mr. President, Distinguished Delegates,

In conclusion, the Division wishes to reiterate that the work of the Authority is of great importance to the overall implementation of the United Nations Convention on the Law of the Sea. We are very pleased to note all the areas of progress contained in the report of the Secretary-General of the Authority. We look forward to contributing to the work of the Authority, as appropriate and to continue our collaboration to ensure effective coordination on matters of common interest, pursuant to the relationship agreement between the United Nations and the International Seabed Authority of 14 March 1997.

The Division would like to convey its best wishes for a productive twenty-fourth session of the Authority and take this opportunity to also extend sincere appreciation to the people of Jamaica for their warm hospitality, which I am convinced contributes, in no small manner, to the success of the sessions of the Authority.

I thank you for your attention.