



STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. LUIS OCHOA GARCÉS, THIRD SECRETARY OF THE PERMANENT MISSION OF ECUADOR ON AGENDA ITEM 6: MARINE GENETIC RESOURCES, INCLUDING QUESTIONS ON THE SHARING OF BENEFITS, AT THE 3RD PREPCOM MEETING ON CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY OF AREAS BEYOND NATIONAL JURISDICTION (New York, 27 March 2017)

Madame Facilitator,

I have the honour to deliver this statement on behalf of the Group of 77 and China.

First of all, the Group would like to congratulate H.E. Mr. Carlos Duarte, Deputy Permanent Representative of Brazil to the United Nations on his appointment as Chair of the Preparatory Committee on the development of 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 (or BBNJ), and thank him and Ambassador Eden Charles for the Chair's non-paper on elements of a draft text. The Group would like to also congratulate the new members of the bureau for their election. I would like to assure all of you of our Group's full support and confidence in your able leadership in conducting this PrepCom toward a successful conclusion.

Madame Facilitator,

This is an agenda item of great importance for the Group of 77 and China.

Indeed, over the course of the past sessions we have emphasized that marine biodiversity of areas beyond national jurisdiction represents a potential, in terms of economic prosperity, and a challenge, in terms of conservation and global food security, for humanity as a whole. However, the ability and capacity of countries to benefit from the potential and to address such challenges is not equal, creating a situation in which some access, exploit and benefit from these resources without the concomitant obligation to share the benefits. It is important to work in a provision that define access and benefit sharing obligations and overall compliance.

In this regard, the Group reaffirms the importance of the access and benefit sharing of marine genetic resources (MGRs) and reiterates its view that the principle of common heritage of mankind must underpin the new regime governing MGRs of areas beyond national jurisdiction. Given its crosscutting nature, the principle should be at the core of the new instrument.

The Group reiterates that the principle of the common heritage of mankind provides the legal foundation for a fair and equitable regime of conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, including the access and sharing of benefit of MGRs and will contribute to the realization of the said objective as, through the application of this principle, the interests and needs of humankind as a whole, especially those of developing countries will be fairly addressed and taken care of.

We are of the view that the benefits should be both monetary and nonmonetary. The non-monetary benefits should comprise of access to all forms of resources, data and related knowledge, transfer

of technology and capacity building as well as facilitation of marine scientific research on MGRs of areas beyond national jurisdiction. The Group of 77 and China are open to discuss the different modalities of monetary benefits on the basis, but would not be limited to those mentioned in our written submission, which would make their sharing of benefit most effective and responsive to the protection and preservation of marine environment, and the needs and interests regarding marine scientific research as well as the development opportunities of the developing countries, including future generations. In this sense, a clearinghouse mechanism could be established and a protocol or code of conduct or guidelines could be developed within the said mechanism in order to ensure environmental protection compliance and ensure transparency in the use of marine genetic resources of areas beyond national jurisdiction.

Madame Facilitator,

The Group of 77 and China stands ready to constructively engage in the discussions on this important agenda item.