



STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. KARIM MEDREK, COUNSELLOR TO THE PERMANENT MISSION OF THE KINGDOM OF MOROCCO TO THE UNITED NATIONS, BEFORE THE FOURTH MEETING OF THE UNITED NATIONS OPEN-ENDED INFORMAL CONSULTATIVE PROCESS, ESTABLISHED BY THE GENERAL ASSEMBLY IN ITS RESOLUTION 54/33 ON OCEANS AND THE LAW OF THE SEA (New York, 2 June 2003)

Mr. Chairman,

It is an honor for me to speak on behalf of the Group of 77 and China on the issue related to Oceans and the Law of the Sea, at the fourth meeting of the open-ended Informal consultative Process established by the General Assembly in its resolution 54/33.

I would like, at this juncture, to congratulate you and Mr. Philip D Burgess for your nomination to the co-chairmanship of the consultative Process, and assure you of the full support of the Group 77 and China and its willingness to contribute positively to the success of our deliberations.

Allow me, Mr. Chairman, to seize this occasion to thank the co-chairmen Mr. Tuiloma Slade and Mr. Alan Simcock for the wise manner in which they have conducted the work of the Consultative Process during the last three years. Our thanks go as well to Mrs. Annick De Marffy and the secretariat of the Division of the ocean affairs and the Law of the Sea for their competence and abnegation.

Mr. Chairman,

The Group of 77 and China attach a particular interest to the work of the consultative Process as it represents a forum where States can discuss in a constructive manner, the developments in ocean affairs. The Consultative Process also provides an opportunity to enhance cooperation among States at all levels on the management of oceans and seas, in order for them to take up the numerous challenges they are facing nowadays.

The United Nations Convention on the Law of the Sea (UNCLOS) and the related agreements have been unanimously recognized as the global legal framework for all activities related to the oceans and the seas, at national, regional or international level but also as a guarantee of a peaceful maritime order.

However, in spite of these legal instruments, the challenges associated with their use and their coordination still remain a reality.

Indeed, the components of ocean and sea matters are closely interrelated. More than ever, coordination and cooperation among States remain a prerequisite for the application of all existing norms in a coherent manner.

It is for all these reasons, that the General Assembly, aware of the complexity of the issue, has established the informal consultative Process.

Indeed, the Group of 77 and China are of the opinion that this Process, considering in depth the multiple aspects of the different issues related to the oceans, has revived the debate on the oceans and the law of the sea, by making it more focused and more targeted.

Moreover, the Consultative Process enables different partners, in particular States Parties to UNCLOS, intergovernmental organizations, and non-governmental organizations, to engage in a fruitful and constructive debate, on the basis of the annual report of the Secretary-general of the United Nations, with a particular emphasis on the themes specified.

Expressing its satisfaction at the positive results achieved during the last three years within the framework of the Consultative Process, the Group of 77 and China welcomes the decision to maintain the Consultative Process and to renew its mandate for an additional three years.

Mr. Chairman,

The Group of 77 and China consider that the themes that have been selected, in accordance with General Assembly resolution 57/141 of the 12th of December 2002, meet the preoccupations of the developing countries and of our Group.

Indeed, the safety of navigation, in particular capacity-building for the elaboration of nautical charts and the protection of vulnerable marine ecosystems, in addition to the issues already discussed during the previous meetings, are important questions which can provide a good basis for our debate.

The Group of 77 and China would like to express its gratitude to the Secretary General of the United Nations for the comprehensive and valuable report on Oceans and the Law of the Sea contained in document A/58/65 in which chapters IV and VII constitute a good basis for deliberations in discussion Panels A and B respectively.

Mr. Chairman,

Concerning the theme entrusted to Panel A, namely the safety of navigation, in particular capacity-building for the elaboration of nautical charts, it is noteworthy to recall that the United Nations Convention on the Law of the Sea (UNCLOS) considers that the flag state has the primary responsibility for ensuring safety at the sea. Moreover, the Convention enumerates, in its Article 94, several measures that the flag state should take in order to ensure safety at sea. However, the UNCLOS assigns also some responsibility to the coastal states.

Thus, the various aspects of safety navigation are dealt with in a comprehensive and substantial body of international rules and regulations, the majority of which have been elaborated by the International Maritime Organization.

The Group of 77 and China are of the view that the majority of accidents at sea are not the result of inadequate regulations, but rather, the consequence of insufficient implementation and enforcement measures.

In order to reinforce the safety of navigation, it seems that what we need is not additional rules but rather to ensure that existing rules are effectively enforced.

Moreover, the significant volumes of the goods – chemical products and other wastes – transported in an inappropriate way, pose a real risk to the marine environment; a matter that constitutes a source of concern and preoccupation for our Group.

The safety of navigation and the prevention of marine pollution, also depend of the ship routing systems, which allow safe routes for navigation. In this respect, the Group of 77 and china adhere to the International Maritime Organization's general provisions relating to ships routing and also to

the Solas Convention.

The establishment of hydrographic coordinates, and nautical charts and their dissemination, contributes to the safety of navigation, and hence to the protection of the ecosystems. Besides, the recommendations of the International Hydrographic Organization go in the same direction. It considers the consolidation of capabilities in the field of the elaboration of nautical charts as a highly strategic and priority issue, which aims at ensuring the safety of Navigation and protection of the marine environment. To that end it calls for a closer coordination among national hydrographic offices and for financial and technical assistance to the countries in need of such assistance.

In order to meet all these obligations, the developing countries need specialized assistance, partnerships with donor organizations and technical training programs, in order for them to be able to prepare and update the nautical charts and documents necessary for safer navigation.

Mr. Chairman,

Concerning the protection of vulnerable marine ecosystems, the Group of 77 and China believe that this issue must be given priority. Indeed, these maritime zones are extremely sensitive and underwent enormous degradation either because of natural phenomena such as meteorological events or as a result of human activities such as pollution or watershed mismanagement or the combination of the two.

In view of this situation, our Group fully adheres to the provisions of UNCLOS that require States to take the necessary measures for the protection and preservation of rare or fragile ecosystems, as well as the habitat of extinct, threatened or endangered species and other forms of marine life.

The serious damage to the ecosystem, caused primarily by some land-based activities, which accounted for 80 per cent of ocean pollution, other activities related to shipping and also by the rapid climate change, should incite the main actors to increase coordination among themselves and to encourage cooperation at the regional and international levels..

The Group of 77 and China is of the opinion that we already have at our disposal a broad range of rules and measures to protect vulnerable marine ecosystems. All we need, therefore, is a genuine will to ensure the application of all existing instruments and to become parties to the conventions, action plans and programs related to the vulnerable ecosystems.

Mr. Chairman,

In conclusion, let me to reiterate our full support to the consultative process, and express our hope that our work will be a success. The Group of 77 and China have always been in favor of order in oceans affairs, which, while preserving the global balance, must also meet the concerns of all members of the international community, in an equitable way.

Thank you.