

Statement by Ambassador Bagher Asadi, Chairman of the Group of 77 (Islamic Republic of Iran), before the General Assembly on Agenda item 30 (a): Oceans and the law of the sea

New York, 27 November 2001

Mr. President,

It is indeed a great pleasure for me to speak on behalf of the Group of 77 and China on agenda item 30 (a) : Oceans and the law of the sea. We in the developing world attach high importance to this issue as it relates to the multifaceted topic of oceans and seas. Since last General Assembly, we have been actively engaged in a series of meetings, including informal consultations over the past few weeks on the draft resolution on this item. This intensive engagement should indicate the conviction of the Group of 77 and China, as the largest intergovernmental block here at the United Nations, in the imperative of a constructive and proactive involvement in the deliberations on this agenda item. Let me seize the moment to assure you of our full cooperation and support towards a rich and fruitful discussion and a successful conclusion of our collective endeavour on the agenda item at hand.

Mr. President,

As you are aware, consensus has emerged on the draft resolution on this item, and we are party to that consensus. I deem it necessary, however, to state a few points right here, which we consider fundamental. First, I should reiterate, once again, our position of principle that the United Nations Convention on the Law of the Sea sets out the legal framework within which all activities in the oceans and seas must be carried out. The strategic importance of the Convention as the basis of actions at all levels in the marine sector hardly needs to be emphasized. We firmly believe that the integrity of the Convention should be maintained. This point has been clearly and rightly underlined in previous General Assembly resolutions on this agenda item; namely resolutions 54/33 and 55/7. Furthermore, the universal and unified character of the Convention, in particular, for the sustainable development of the oceans and seas as well as their resources should be underscored.

Mr. President,

Having made these points of principle, let me now turn to the very good, informative reports we have before us – for which we are grateful to the Secretary-General. I would also like to thank Division for Oceans Affairs and the Law of the Sea for the extensive work they have done in this area. Our deliberations here today is a good opportunity for the members of the intergovernmental body to present and elaborate their views on the content of the reports before the Assembly. A number of initiatives, projects and developments have been addressed in the Secretary-General's report - document A/56/58/Add.1 – among which I merely suffice to refer to a few only. As for the marine scientific research, it is evident that part 13 of the Convention and the consent regime thereon, is the framework for any activities in this area by the State Parties of UNCLOS and, therefore, its integrity should be maintained. While we express our satisfaction with the outcome of the 11th Meeting of the States Parties (MOSP) of the UNCLOS, we stress on the MOSP/UNCLOS as the unique body for monitoring the implementation of the Convention. We note with interest the recent adoption of the Convention on the Protection of Underwater Cultural Heritage by UNESCO. It will set the framework for future debate on this topic. We also welcome the entry into force on 18 June 2001 of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management. This instrument is the first agreement in this filed and paves the way for addressing the serious concerns of developing countries, particularly those of the coastal states with regard to the transboundary movement of radioactive waste. In our view, this is only the first step and we have a long way ahead of us.

On climate change and sea level rise, it is our earnest hope that the successful conclusion of the Sixth and Seventh Conferences of the Parties of the Climate Change Convention which provided necessary operational mechanisms for entry into force of the Kyoto Protocol would also contribute to the sustainable development of oceans and seas as well as to the identification of appropriate solutions for sea level rise. Moreover, in our view, the World Summit on Sustainable Development, scheduled for late August 2002 in Johannesburg, South Africa, should, inter alia, devise specific measures for the full implementation of chapter 17 of the Agenda 21 on oceans. This is a unique opportunity for the entire international community to address effectively sustainable development of oceans and seas and their resources. On the question of piracy, as colleagues remember, during the second meeting of the consultative process we expressed our concern over increase in piracy and armed robbery incidents at sea. Our proposals were presented to that meeting. I doubt they need to be repeated here. But, very briefly, let me just add that we encourage and support improved cooperation among states to combat these unhealthy trends. At the same time, we would also like to highlight the importance of the provision of support by the international community to the developing countries to improve their capacity to confront and effectively deal with such incidents.

Mr. President,

Back in May 2001 at the second meeting of the consultative process, the Group of 77 highlighted some of its views with regard to oceans and the law of the sea – they are as relevant now as they were then. At this stage of our collective work in this multilateral process, it should be clear to all of us that sustainable development of the oceans and seas and their resources calls for, inter alia and as a matter of priority, addressing the needs of developing countries. This is, as everybody here knows fully well, in line with the provisions of resolution 55/7 and Decision 7/1 of the Commission on Sustainable Development. In this context, as we have stated before, transfer of environmentally sound technology and capacity building in developing countries deserves particular attention. Serious inadequacy or outright lack of technical, financial, technological and institutional capacity in developing countries to effectively tackle the catastrophes and threats to oceans and seas' ecology are among the main problems that they face. Worse still, these countries, generally speaking, even suffer from lack of or insufficient access to the results of marine scientific research. Scarcity of international financial resources in developing countries has also received particular emphasis in the Secretary-General's report. The report further underlines that the acquisition of new technologies by most developing countries is beyond their capabilities. Fortunately, the agreed themes for the third meeting of the consultative process contain elements referring to these issues and aspects.

We believe the third meeting will provide a good opportunity for discussion on relevant provisions of the Convention, in particular Sections 2 and 3 of Part 12 and Part 14. The Group of 77 and China considers the following areas relevant to the discussion of the next meeting of the consultative process. Therefore, we request their proper reflection in the meeting's documents.

- Pollution in oceans and seas from different resources, in particular, in fragile ecosystems such as closed and semi-closed seas;
- Fisheries and socio- economic welfare of developing countries;
- Preventing unsustainable fisheries;
- Ballast water;
- Marine pollution in coastal areas and its effects on agriculture and fresh water;
- Crisis management in emergency situations and the necessity of carrying out EIA for implementation of projects potentially considered dangerous in fragile marine environment.

Furthermore, we consider the following imperative for the effective preservation and protection of oceans and seas:

- Strengthening coordination at international level as well as interagency level with the aim of avoiding

duplication;

- Strengthening the regional organizations of UNEP Regional Seas Programme through further cooperation among relevant international organizations with them;
- Establishment of centers for dissemination of information on marine scientific research and technology;
- Active involvement of GEF in financing relevant capacity-building projects in developing countries, including coastal cities waste management and recycling projects.

Mr. President,

In conclusion, let me underline that we look forward, with hope and anticipation, to the next meeting of the consultative process and the review of its work in the 57th Session of the General Assembly. You can be assured that we will continue our active and constructive participation in the process.

Thank you very much, Mr. President.