



**INTERVENTION ON BEHALF OF THE GROUP OF 77 AND CHINA BY MS. PRIM MASRINUAN, COUNSELLOR, ON AGENDA ITEM 7: CONSIDERATION OF MARINE GENETIC RESOURCES INCLUDING QUESTIONS ON THE SHARING OF BENEFITS, AT THE 1ST PREPCOM MEETING ON CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY OF AREAS BEYOND NATIONAL JURISDICTION (New York, 30 March 2016)**

Mr. Chairman,

- I have the honour to speak on behalf of the Group of 77 and China on agenda item 7 regarding the consideration of marine genetic resources including questions on the sharing of benefits.
- For the Group of 77 and China, to address the marine genetic resources (MGRs), there is need to reflect on the definition of the MGRs which can be developed on the basis of the existing relevant instruments. The forms of access will also be determining factors in defining the scope of the MGRs which are subject to the benefit-sharing regime.
- The applicable legal regime of the MGRs is also decisive for the sharing of benefit of MGRs. The Group of 77 and China is of the view that there is the legal gap concerning the access to and benefit from marine genetic resources from areas beyond national jurisdiction which creates a situation in which some exploit these resources which should be for the benefit of mankind as a whole through unilateral policies and measures. In this regard, taking into consideration the regime that UNCLOS provides for the Area which covers the seabed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction as well as its resources that are common heritage of mankind, in order to compensate the disparity of capacity of countries to benefit from activities carried out in the Area, the Group of 77 and China believes that the applicable legal regime for the MGRs should be common heritage of mankind.

Mr. Chairman,

- The Group of 77 and China considers that the benefit sharing mechanism must cover monetary and non-monetary aspect with necessary consideration of the issue of intellectual property rights. Such mechanism should also promote international cooperation in marine scientific resources according to the UNCLOS.
- Finally, there is also need to explore the institutional mechanism that administers the access and sharing of benefits of MGRs as well as ensures compliance. In this regard, there is need to explore different options in the light of existing structures with similar mandate such as the International Seabed Authority.
- I thank you, Mr. Chairman.