



**STATEMENT ON BEHALF OF THE GROUP OF 77 AND CHINA BY MR. MARCELO ZAMBRANA TORRELIO, MINISTER COUNSELLOR OF THE PERMANENTE MISSION OF THE PLURINATIONAL STATE OF BOLIVIA TO THE UNITED NATIONS, AT THE MEETING OF THE AD HOC OPEN-ENDED INFORMAL WORKING GROUP TO STUDY ISSUES RELATING TO THE CONSERVATION AND SUSTAINABLE USE OF MARINE BIOLOGICAL DIVERSITY BEYOND AREAS OF NATIONAL JURISDICTION (New York, 18 June 2014)**

Co-Chair,

The G77 and China understand that the status quo is not adequate and is committed to address the issue of the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction including by taking a decision on the development of an international instrument under UNCLOS, as agreed in the Rio+20 final document.

Co-Chair, there is a need for a specific legal framework to deal with these issues in a forward-looking manner and in coordination with structures and legal regimes established by the Convention and the implementation agreements adopted under it.

The inputs from our last meeting and those important that were arise during this days allows us to stablish some important aspects that we would like to highlight:

The G77 and China has repeatedly drawn attention to the fact that the provisions on transfer of technology are the ones where there is the greatest gap in implementation. The transfer of technology is an essential tool for capacity building in the sphere of marine science.

We therefore call for political will to ensure implementation of the provisions of the Convention relating to capacity building, transfer of technology and scientific knowledge to developing countries so that they can access and benefit from the sustainable use of marine biodiversity of areas beyond national jurisdiction, including genetic resources.

As regards sustainable use, the other major element, the Group strongly believes that access to genetic resources of sea-bed and ocean floor, and the subsoil thereof, beyond the limits of the national jurisdiction, as well as its resources, which are the common heritage of mankind and the exclusive exploitation by a few have serious global economic and social implications. We would like to stress that this manner of exploitation is inconsistent with the principle that the Area and its resources are to be explored and exploited for the benefit of mankind as a whole.

Co-Chair,

For all the G-77 and China understands that the feasibility of the proposed international instrument is given by the growing awareness on the urgent need to further develop the law of the sea as to prevent the oceans and seas from suffering a "tragedy of the commons" - in which unilateral policies and measures could continue exploiting the marine biological diversity beyond areas of national jurisdiction in prejudice of the common interests of mankind.

Therefore the feasibility of the instrument largely depends on the political will of the Member States; It is recognized that there are provisions under UNCLOS that speak to the conservation and

sustainable use of marine resources. However, it is accepted that there is need for greater regulation in this area given that the current legal framework does not adequately address all the related issues. A new implementing agreement under UNCLOS would serve to build and strengthen areas that were not captured in the Convention.

Co Chair,

Today is our last discussion session and for our next meeting we only have 6 months. The discussion at this level has been fruitful and rewarding, but it's time to move on and a good way to do this is to have a draft of recommendations to be discussed at our next meeting in January 2015.

Therefore the G77 and China believes that the draft text should take into account what was said during our April meeting and expressed in this special session specially what we said yesterday, however, we would like to suggest and highlight the need that the text should have as a basis for discussion the package agreed in 2011, but also it should establish the principles of negotiation as the value of consensus and determine the modalities for negotiations, such as good faith.

Briefly Co Chair we trust in your leadership and therefore we suggest that in the text of recommendation should we set a road map and for that the Group 77 and China is convinced that the January meeting is very important to keep us in time and for the urgency of a new international instrument under UNCLOS.

Thank you.