



**PERMANENT MISSION OF JAMAICA
TO THE UNITED NATIONS**

STATEMENT BY

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AT 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**

**TUESDAY, 20TH JANUARY 2015
UNITED NATIONS, NEW YORK**

Co-Chairs,

Jamaica associates itself with the statement delivered by South Africa on behalf of the G77 and China and Trinidad and Tobago on behalf of CARICOM.

It is fitting that this Third and critical meeting of the Working Group is taking place at the start of a defining year in global affairs - a year in which the international community will seize the opportunity to address global challenges in a transformational manner. This approach, whether it relates to the Post-2015 Development Agenda, financing for development or the climate change agreement, has several key guiding elements at its core: ambitious, universal, inclusive, integrated, accountable, measurable and sustainable. This is the backdrop against which my delegation views our deliberations on the oceans agenda, particularly issues relating to the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction, which the General Assembly has been studying for a decade.

It is now time for action. This Working Group has been entrusted with the important task of preparing the General Assembly to take a decision by September 2015 on the development of an international instrument. My delegation is indeed fully satisfied with the significant work that we have collectively undertaken in the Working Group and at the substantial progress achieved to date.

Co-Chairs,

You have done an excellent job in marshaling our collective thinking to enable us to thoroughly discuss and clarify the issues of scope, parameters and feasibility of a new international instrument over the course of the two meetings of the Working Group in 2014. Undoubtedly, the three rounds of written submissions by Member States have not only served to clarify positions and understanding of these complex issues, but have also helped to advance our common understanding and generate convergence in several areas.

Moreover, our deliberations last year sought to build on earlier meetings of the Working Group that addressed the issues of gaps and the way forward, and benefitted from the two inter-sessional workshops held in May 2013. These workshops provided valuable scientific and technical information and helped to improve our understanding and clarify key questions. The wide participation of relevant stakeholders, particularly inter-governmental organizations, scientists, industry and civil society groups, has also contributed significantly to advancing our exploratory work.

Jamaica welcomes the positive and constructive atmosphere that has characterised deliberations in the Working Group, as well as the active engagement and participation of a growing number of Member States in the process. This reflects the widespread interest and the political will of an overwhelming majority of Member States to take effective action in addressing the glaring legal and implementation gaps in oceans governance.

My delegation, therefore, participates in this week's meeting with the firm belief that there is now sufficient momentum and broad convergence on the elements at stake for the Working

Group to recommend to the General Assembly that it commence negotiations for an implementing agreement. In this connection, we thank the Co-Chairs for preparing the draft elements of recommendations to the sixth-ninth session of the General Assembly, which we believe provide a sound basis for our discussions under Agenda Item 6.

As we come to the end of this extensive and useful exploratory process, my delegation takes this opportunity to reiterate some key conclusions we have made in support of the General Assembly taking the next logical step of commencing negotiations for the development of an international instrument:

- Jamaica believes that from a legal, technical and political standpoint a new implementing agreement is feasible.
- In the course of the discussions of the past two meetings, we believe that a broad consensus has emerged that while efforts have been undertaken to address key areas of concern, there are serious legal and implementation gaps that need to be addressed in an integrated, comprehensive and transparent manner. We submit that this can be best addressed through an international agreement that will establish an overarching legal and institutional framework.
- Precedent exists at the regional and international levels that give credence to the feasibility of a new agreement. Indeed, these agreements, arrangements and political commitments provide a useful basis on which to build a comprehensive, universal and legally binding agreement.
- As we stated in our submission, a new implementing agreement under UNCLOS would serve to build and strengthen areas that were not captured in the Convention but which have become more pronounced with technological advancement.
- We underscore that the "package" that was agreed by this Working Group in 2011 and subsequently endorsed by the General Assembly must be maintained as the basic building block for the scope of a new international agreement. This implementing agreement should be built on UNCLOS principles in addition to other emerging norms, including the eco-system based approach and precautionary principle. We underscore that the principle of the Common Heritage of Mankind as contained in UNCLOS is critical to this process.

Co-Chairs,

Jamaica does not underestimate the challenges that lie ahead. This will require a great deal of cooperation and understanding by all countries. We recognize that concerns remain as to whether a new implementing agreement would be the most suitable approach to provide for the sustainable use and conservation of marine biodiversity in areas beyond national jurisdiction, and

whether such an agreement would have the positive impact of addressing, in particular, implementation gaps.

While the new implementing agreement will not be a panacea, we believe, all things considered, that it is the best option for providing legitimacy, common standards and principles and an integrated and coordinated approach that is so urgently required. We are still to be convinced that maintaining the status quo of a patchwork of approaches with ad hoc marginal changes will address the problems that we have all identified.

Co-Chairs,

In closing, I reiterate Jamaica's full support for this Third Meeting of the Working Group to recommend the launch of negotiations and our readiness to work with all delegations to secure this positive outcome. The status quo is not acceptable. Let us not delay any further. Our action this week is integral to the "Future we want".