



PACIFIC SMALL ISLAND DEVELOPING STATES
United Nations Member States

Permanent Mission of the Republic of Nauru to the United Nations
801 Second Avenue, Third Floor
New York, N.Y. 10017

Phone: +1 (212) 937 - 0074
Fax: +1 (212) 937 - 0079
E-mail: psids.ny@gmail.com

Statement of H.E. Marlene Moses
Ambassador/Permanent Representative of Nauru
Chair, Pacific Small Island Developing States
At the BBNJ Preparatory Committee: Plenary Meeting
Friday, 14 July – New York

CHECK AGAINST DELIVERY

Mr. Chair,

I have the honor to deliver this statement on behalf of the Pacific Small Island Developing States (PSIDS) represented at the Preparatory Committee, namely Cook Islands, Fiji, Kiribati, Marshall Islands, Micronesia, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Nauru.

We align ourselves with the remarks made by Ecuador on behalf of the G77 and China and the Maldives on behalf of AOSIS.

Mr. Chair,

Throughout this session of the PrepComm, in response to your indicative suggestions, the Pacific SIDS have laid out a number of our key interests and needs that we wish to see reflected in the substantive recommendations from the PrepComm to the General Assembly and subsequently in the BBNJ instrument. Our interventions so far have largely been premised on two pillars. The first is equity. Specifically, the BBNJ instrument must ensure the equitable participation of all of its States Parties in the conservation and sustainable use of BBNJ. Equity is not the same as equality; different States have different circumstances, challenges, and needs, and accommodating those elements is the only way to ensure universal participation in the instrument in a manner that is fair for all Parties.

The second pillar is the special case of SIDS. As recognized and operationalized in multiple international instruments since the adoption of UNCLOS, SIDS are a special case due to our unique and particular vulnerabilities, including our small size, remoteness, narrow resource and export base, and exposure to global environmental challenges and external economic shocks; and in light of our close ecological, historical, and cultural connections to vast portions of the Ocean and its biological diversity. This is particularly

true for the Pacific SIDS, as we are strewn across the vast Pacific Ocean and grapple with multiple social, environmental, and economic challenges and needs unique to our people in their frequency and acuity; and as the Ocean is at the very heart of our identity as the Pacific SIDS.

The two pillars are clearly linked. The best way to ensure the equitable participation of the Pacific SIDS in the conservation and sustainable use of BBNJ is by recognizing the special case of SIDS and operationalizing that concept in various elements of the BBNJ instrument, as we have discussed so far this session. Without the ability to equitably engage, the BBNJ instrument would be meaningless for the Pacific SIDS.

To operationalize the two pillars, the Pacific SIDS have advanced a number of positions.

We have insisted on the equitable sharing of benefits arising from the sustainable use of BBNJ.

We have discussed adjacency, which recognizes the special connections that the Pacific SIDS have to biological diversity and activities in adjacent areas beyond national jurisdiction. The elements that make up adjacency, such as the duty to cooperate and the prevention of transboundary harm are well established under the Convention and international law in general.

We have stressed the role and relevance of traditional knowledge and its holders in the conservation and sustainable use of BBNJ, in light of the deep reservoirs of such traditional knowledge among the indigenous peoples and local communities of the Pacific SIDS.

We have emphasized the need to account for transboundary and cumulative impacts of planned activities in areas beyond national jurisdiction, given the migratory nature of many of our iconic species and our exposure to environmental impacts that build over time in parts of the Ocean adjacent to our waters.

We have drawn attention to the fact that because of the particular circumstances of SIDS, both with regards to capacity and proximity, there is a very real risk of the BBNJ instrument imposing a disproportionate burden of conservation and inequitable participation on SIDS. Unless the BBNJ instrument makes provisions that not only recognize this, but include practical, meaningful measures to ensure this outcome is avoided, then we will not have a BBNJ instrument that is fully functioning.

And we have underscored the need to have funding mechanisms and capacity building initiatives that support implementation of the BBNJ instrument by developing countries in particular LDCs and SIDS.

We are heartened by the robust discussions that delegations have had on those elements during this session. We have heard strong support around the room, for example, for the equitable sharing of benefits arising from the exploitation of MGRs; for the need to consider transboundary impacts and cumulative impacts when conducting environmental

impact assessments; and for robust, predictable, and useful funding mechanisms as well as coherent and targeted capacity building initiatives to assist in the implementation of the BBNJ instrument. We do take note of the thoughtful comments and queries in response to some of our interventions, and we look forward to working with delegations to arrive at common understandings for them.

Mr. Chair,

When we launched the PrepComm process, our mission was to draw out the positions and interests of all delegations and fashion recommendations that would allow the General Assembly to take a decision on convening an intergovernmental conference to negotiate and adopt a BBNJ instrument. The Pacific SIDS feel that the process has succeeded in teasing out those positions and interests, including those of the Pacific SIDS, and we look forward to your revised indicative suggestions to guide us in drafting recommendations that reflect those positions and interests and launch an intergovernmental conference.

The four sessions of the PrepComm were designed as a confidence-building step and it has succeeded in this respect. We have seen progressively growing engagement by delegations that were hesitant at the beginning. We commend them for meticulously working through the many technical details and for enriching our discussions by sharing their perspective.

Mr. Chair,

As we noted previously, the health of the Ocean is at a tipping point. We believe that fulfilling our mandate from 69/292 and launching an intergovernmental conference as soon as possible will allow us to pull back from the precipice in a manner that is fair and equitable for all Parties and of real utility for the health, productivity and resilience of the Ocean, and we support recommendations to that end. In particular, we envision an intergovernmental conference which could meet twice each in 2018 and twice again in 2019 for two weeks each meeting. We feel it would be prudent if the PrepComm was to pronounce itself on the subject accordingly. Mr. Chair, we are ready to get to work.

Thank you, Mr. Chair.