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Preparatory Committee established by General Assembly resolution 69/292: Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction - Third session

Agenda item 6: Consideration of capacity building and the transfer of marine technology

Statement by the delegation of the Federated States of Micronesia [Statement #9]

New York, 6 April 2017

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Thank you, Mr. Chair, for giving me the floor. I take the opportunity to thank you for guiding us in our discussion. I also wish to thank Madame Rena Lee of Singapore for her report today and for her skillful facilitation of the informal working group for capacity building and transfer of marine technology last Friday.

Micronesia aligns itself with the statement delivered by Ecuador on behalf of G77 and China, the statement by Maldives on behalf of AOSIS and the statement by Nauru on behalf of PSIDS. Micronesia wishes to elaborate further on a few issues identified by the facilitator in her report requiring further discussions.

1. With respect to whether there should be specific objectives and underlying principles for capacity-building and transfer of marine technology, we offer the following perspectives:
 - a. *(systematic/efficient CB program)* First, the ability of small island states to participate in the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction depends upon their capacity to do so. The existing capacity is obviously lacking or insufficient, otherwise, we would not be spending so much time discussing about capacity building. Accordingly, it is our view that an important underlying principle for capacity building should be to create a systematic and efficient program or programs that will capacitate small island states, like the PSIDS and Micronesia, in participating in the conservation and sustainable use of BBNJ.

- b. *(incorporate TK into CB programs)* Second, in building the capacity, existing knowledge and best practices must be taken into consideration, in particular, traditional knowledge. The indigenous peoples and local communities in the PSIDS have accumulated extensive traditional knowledge on the marine resources from many years of traditional voyages across the Pacific Ocean and from their interaction with and usage of marine resources, have developed practices regarding the use marine living resources for sustenance, health, and other purposes, and established practices concerning the preservation of such marine resources for the use and enjoyment of future generations. In our view, this traditional knowledge amounts to best practices in the conservation and sustainable use of marine resources within national and beyond national jurisdiction. This is relevant to the BBNJ instrument, and we strongly feel that UNCLOS is not giving due recognition to this traditional knowledge. For this reason, this BBNJ instrument must fill this critical gap by incorporating traditional knowledge into the commitment toward capacity building.
- c. *(actual needs and special circumstances of small island states)* Third, in designing capacity building program, due consideration should be accorded to the actual needs as identified by small island states—including in particular the special circumstances and the challenges faced by small island developing states.
- d. *(activate/operationalize the TMT)* Fourth, with respect to transfer of marine technology, it is our view that we simply have to commit to it. Already, article 266 of UNCLOS provides that States, directly or through competent international organizations, shall cooperate ... to promote actively the development and transfer of marine science and marine technology.... But we are not operationalizing it—or at least not yet and we must do so in this BBNJ instrument. An underlying principle of the TMT is to activate the transfer of marine technology.
- e. *(funding to support CB/TMT)* Fifth, corollary to activating the TMT is to dedicate funding to operationalize it. Funding will come by linking TMT to the access to the BBNJ resources, which the PSIDS articulated and which we support. We can give more thought to it at the PrepComm4.
- f. *(no difficult conditions of access)* Sixth, in terms of access to CB/TMT, there should be no difficult conditionality; otherwise, it would be almost meaningless establishing it when its access or use is remote. ^[L]_[SEP]

2. With respect to your question on whether there is a need to specify the types of capacity building and transfer of marine technology, we feel that there is such a need for doing so to ensure that CB/TMT is operationalized. The modalities are something that we can discuss further, and on that note we are open to ideas and views from other delegations.
3. With respect to your question on whether to establish a new clearing-house mechanism or strengthen existing ones, it is our preliminary view that we might need to consider utilizing existing regional structures or organizations that can support clearing house functions. We shall need to further study this matter, including other elements and mechanics of a clearinghouse, for additional consideration.

Thank you.