



Permanent Mission of the Federated States of Micronesia to the UN

300 East 42 Street, Suite 1600
New York, N.Y. 10017

e-mail: fsmun@fsmgov.org

Telephone: (212) 697-8370

Facsimile: (212) 697-8295

<http://www.fsmgov.org/>

Intergovernmental Conference on 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 substantive session

Agenda item 7: Other matters

**Statement by Mr. Leonito Bacalando jr.
Assistant Attorney General**

New York, 30 August 2019

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Madame President, Excellencies, Colleagues, good afternoon!

1. My delegation aligns this statement with the statements previously delivered today on behalf of G77 and China, AOSIS, Pacific Island Forum countries, and the PSIDS.
2. I would also wish to raise a few points in my national capacity.
3. I join other delegations in extending words of congratulations to you Madam President on your successful leadership of the IGC3 and for the systematic manner in which you organized our deliberation. Our appreciation to your team and to DOALOS for the secretariat support of this process.
4. Furthermore, my delegation wishes to emphasize on the urgent necessity of establishing a BBNJ instrument that would bring fairness, transparency and equity. The persisting gap in international law with respect to the conservation and sustainable use of marine biodiversity of areas beyond national jurisdiction highlights the increasing risks of conflicting actions, decisions and interpretations with respect to the BBNJ—and these are not suitable conditions. Completing the work of this intergovernmental conference in a timely manner becomes a compelling necessity.
5. We support an agreement that recognizes traditional knowledge and its holders and prescribes a balanced allocation of rights and obligations in a manner that should not create any disproportionate burden of conservation of marine biological diversity upon small island developing states that have intimate attachment to the Ocean and its resources for reasons associated with food security and those of socioeconomic, cultural and political security dimensions.

6. Moreover, we wish to reiterate that respect must be accorded to the sovereign rights and jurisdiction of coastal states over their national zones, including the extended continental shelves.
7. We also would like to see concrete recognition of the severe impacts of the climate change crisis upon the Ocean, which we feel acutely in our small islands. This BBNJ instrument should offer more solutions for those adversely impacted by the climate change crisis rather than allow the situation to exacerbate.
8. In closing, we express support for the issuance of a new iteration of the draft treaty text later this year, ideally by the end of October, which would assist our deliberation during the IGC4 next year.

Thank you again, Madame President!