

**GENERAL STATEMENT DELIVERED BY CAPTAIN JOHN FOX AT
THE FIRST INTERGOVERNMENTAL CONFERENCE ON AN
INTERNATIONAL LEGALLY BINDING INSTRUMENT UNDER
UNCLOS ON THE CONSERVATION AND SUSTAINABLE USE OF
MARINE BIOLOGICAL DIVERSITY BEYOND NATIONAL
JURISDICTION**

UNHQ, Conference Room 3, New York, 4th September 2018

- i) Firstly, we look forward to discussions honing in on scope of this IA. This is particularly important towards establishing our frames on which other discussions and issues rely.
- ii) Secondly, discussions around the new IA should take place against the backdrop of the core principles of UN Convention on Law of the Sea (UNCLOS). The new IA will help to address gaps, complement existing regimes to enable and foster implementation and thirdly will be anticipatory in nature allowing it to evolve in order to address emerging challenges. To be sure, Madam President, we do not want to see a result where the IA adds zero value or zero compliment to existing regimes and instruments.
- iii) Thirdly, with regards to capacity building and transfer of marine technology which is an essential component to human development not only for Fiji but for Small Island Developing States (SIDS) in general. We note that this has been an area where implementation has been lacking in the past and the new agreement must address this need. Through the multilateral processes involving BBNJ, there will be no shortage of innovative ideas which SIDS like Fiji will be very much in need of. This new IA therefore should derive a suitable formula for capacity building and technology transfer that is responsive to the current and future capacity needs of developing countries. Special case of SIDS must be a main factor of consideration taking into account disproportionate burden.
- iv) F
may be developed for dealing with marine genetic resources (MGR) and access and benefit sharing (ABS) considerations in ABNJ. The intention is that this new regime can draw on the principles that underpin the principle. It could elaborate on existing UNCLOS benefit sharing obligations. The new IA should ensure that benefit sharing is linked with access, is fair and acceptable taking into account the need for a balance of interests and opportunities, particularly for developing States.
- v) We are seeking opportunity from this IA, that it will be an instrument that can ensure that transboundary issues are factored in appropriately.

Madam President,

In closing, we have full confidence that you will successfully lead this first IGC with the support of the Bureau members.