Statement on behalf of the Pacific Small Island Developing States for the 40th Anniversary of the Adoption of the United Nations Convention on the Law of the Sea (29 April 2022)

Mr. President,

I am pleased to deliver the following remarks on behalf of the 12 members of the Pacific SIDS represented in New York.

Thank you for bringing us together to commemorate the 40th Anniversary of the adoption of the United Nations Convention on the Law of the Sea (UNCLOS).

As Pacific SIDS we align ourselves with the statements delivered by Antigua and Barbuda on behalf of AOSIS and Fiji on behalf of the Pacific Islands Forum.

Mr. President,

- The Pacific SIDS have long viewed UNCLOS as the legal framework within which all activities in the Ocean must be carried out. UNCLOS has been instrumental in establishing a more peaceful order in the ocean domain, where there was once chaos. It has provided equity, stability, and a recognition of common heritage. For Pacific SIDS, UNCLOS provides a level playing field, and is supported by the overwhelming majority of States.

- However, the question that needs to be asked is how the provisions of UNCLOS can adequately address some of the new emerging issues we now face, such as climate change-related sea-level rise, the loss of marine biodiversity, the destruction of marine eco-systems, marine pollution, and IUU fishing.

- Our concerns over climate change and its effects on the Ocean extend to our maritime zones and the need to secure them, and the rights and entitlements that flow from them without reduction, notwithstanding any physical changes connected to climate change-related sea-level rise even in the face of rising sea-levels.

- This is not merely a subject for academic discourse. It represents an existential challenge for all of us but especially PSIDS. In our view, preserving baselines and the entitlements that flow from them is a conclusion consistent with core
principles of international law and human rights and brings much needed equity and stability to the Ocean realm.

- We must come together to prevent and reduce marine pollution including plastics, oil spills, discharge of waste, and nuclear contaminants, and the introduction of anthropogenic greenhouse gas emissions into the Ocean, all of which qualify as pollution of the marine environment under UNCLOS.

- In this connection, we welcome the recent launching of an intergovernmental negotiating committee for an international legally binding instrument to end plastic pollution, including in the marine environment.

- For the Pacific SIDS, the Ocean surrounds, protects and provides for us. It is core to our way of life, and it unites us in common purpose; it is our home, and a key to a future of sustainable development.

- We are deeply concerned that the increased acidification of our Ocean, caused by anthropogenic CO2 emissions. Reef damage affects fish population which in turn affects entire fisheries upon which we rely. This is just one example of how truly interconnected the effects of climate change have on our environments, and in our daily lives.

- The effects of overfishing as well as, illegal, unreported, and unregulated fishing remain a major concern for Pacific SIDS economies. Lost revenues are estimated in the billions of dollars, and these are significant lost earnings for Pacific States. A sustainable Ocean platform recognizes that everyone has a part to play in ensuring food security and nutrition for all.

- The Pacific SIDS welcome the ongoing work within UNCLOS and call for the urgent conclusion of negotiations on an international legally binding instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

- Pacific SIDS recognize the important role of Ocean science in informing decision-making. We continue to emphasize the important role of the relevant traditional knowledge of Indigenous Peoples and local communities about the Ocean as a complement to Ocean science.
• In summary, we need to arrest climate change-related sea-level rise; safeguard maritime zones and the rights and entitlements that flow from them; maintain and restore ecosystems and protect BBNJ, eliminate pollution and resolve IUU fishing issues. The resolution of these issues may find landing zones in the interpretation of the current law, while others may lie in the political domain and international cooperation or a combination.

• Our reliance on the Ocean and its bounty must be balanced by our stewardship of its health. A shared Ocean means a shared responsibility for its protection and conservation, and shared benefits for our environment, economies, and communities.

Mr. President,

• Pacific SIDS call for increased and more targeted cooperation and coordination between member states on the effective implementation of UNCLOS. It is a global issue requiring united global action. Pacific SIDS value the important role UNCLOS is contributing towards the attainment of the SDGs, particularly SDG14, and through the UN Ocean Conference.

• Pacific SIDS welcome the call for protecting 30% of our global Ocean by 2030 and commend the Blue Leaders 30 x 30 campaign. We believe that whilst this target is ambitious, it is achievable with requisite support for finance, infrastructure and innovation.

We remain committed to maintaining a rules-based international order firmly grounded on UNCLOS which continues to serve as the Constitution of the Ocean.

I thank you for your attention.