

*Open Ended Informal Consultative Process on Oceans and the Law of the Sea*

*Statement by Mr. Narinder Singh, First Secretary, on May 30, 2000*

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Mr. Co-Chairman,

At the outset, I join other delegations in congratulating you on your appointment and commend your efforts in drawing up an effective format and agenda for a fruitful outcome of the first meeting of the informal consultative process on oceans and seas. I also thank the Legal Counsel, Mr. Hans Corell, and the Under Secretary General for Economic and Social Affairs, Mr. Nitin Desai, for their remarks.

The United Nations Convention on the Law of the Sea of 1982 establishes the legal regime for the oceans. Agenda 21 lays down the Programme of Action for the regime so established. We are now in the third step, that is, in the implementation process which involves identification of specific issues and coordination between various institutions existing under the framework. The two main issues that have been identified already are indeed the ones which require immediate priority.

In respect of fisheries, the 1995 Agreement on the Conservation and Management of Straddling Fish Stocks and the Highly Migratory Fish Stocks was a significant development in the implementation of the Law of the Sea Convention. It assumes special importance in view of the caution sounded by FAO that over 60% to 70% of fish stocks are being overfished and require urgent intervention to avoid further decline of these stocks below replacement levels.

India is presently examining the agreement with a view to acceding to it. India is also cooperating with other States at the regional level in the conservation and management of fishery resources and is a member of the Indian Ocean Tuna Commission and the Western Indian Ocean Tuna Organization.

The Code of Conduct for responsible fisheries adopted by the FAO in 1995, as well as the FAO Agreement to promote compliance with international conservation and management measures by fishing vessels in the high seas need to be acceded to or applied with immediate effect. It is also a matter of concern that over fishing continues to take place in contravention of applicable regional conservation regimes and that States are not meeting their obligations to ensure compliance by their flag vessels and nationals. We believe that implementation of these Agreements will guarantee the enforcement of the rights of developing country coastal states and that technical and financial support will be extended to developing countries for the development of their fisheries. In this regard we also welcome the joint efforts of FAO and IMO to secure concerted action to combat illegal, unregulated and unreported fishing through more effective flag State control over fishing vessels and port-state inspections of foreign flag fishing vessels.

The second issue concerns the marine environment which indeed was the focus of attention at the Rio Conference. The marine environment is of importance not only with reference to its resources but also in the context of Global Climate Change which will have a

bearing on the lives of future generations. We are happy to note that Part XIII of the Convention indeed establishes a strong legal framework. There are other agencies such as the UNEP, Convention on Climate Change, Biodiversity, etc. which have drawn upon the principles enshrined in the convention and there is need for effective cooperation and coordination between all these agencies. In respect of seabed mining, the International Seabed Authority has almost completed its deliberations on the Mining Code which is expected to be adopted next month. The importance of the Mining Code lies in the fact that the plans of work of the seven Pioneer Investors already stand approved and contracts are to be entered into between the Pioneer Investors and the Seabed Authority.

My delegation attaches high degree of importance to the matters concerning the Oceans and strengthening of the institutions that have been established under the Convention and its related Agreements. Issues relating to oceans and seas are highly complex and inter-related, and in this context, we support efforts to enhance coordination and cooperation. My delegation fully supports the informal consultative mechanism that has begun and looks forward to active participation in the process.