



PERMANENT MISSION OF THE REPUBLIC OF SINGAPORE
UNITED NATIONS | NEW YORK

**STATEMENT BY MR MARK SEAH, CHARGÉ D’AFFAIRS
(AD INTERIM), PERMANENT MISSION OF SINGAPORE TO THE
UNITED NATIONS, TO INTRODUCE DRAFT RESOLUTION A/78/L.41,
AGREEMENT 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, UNDER AGENDA ITEM 75(C) ON THE
AGREEMENT 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, GENERAL ASSEMBLY,
NEW YORK, 24 APRIL 2024**

Mr President,

1 I have the honour to introduce draft resolution A/78/L.41, entitled “Agreement 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”. On behalf of the coordinator, Mr Nathaniel Khng, and my delegation, I wish to thank all Member States for their constructive engagement during the consultations on this draft resolution.

2 Member States will recall that the BBNJ Intergovernmental Conference adopted the BBNJ Agreement by consensus on 19 June 2023 and that the Agreement was opened for signature in New York on 20 September 2023. The Agreement presently has 89 signatories and four countries have ratified it. The draft resolution that we have tabled, following open and inclusive consultations on its text, is essentially a procedural resolution that aims to take the next steps with respect to the Agreement. In the main, it establishes a preparatory commission to prepare for the entry into force of the Agreement and the convening of the first meeting of the Conference of the Parties to the Agreement. Please allow me to explain its key elements.

3 The first paragraph of the draft resolution welcomes the opening for signature of the BBNJ Agreement and the second paragraph emphasises the importance of its early entry into force and effective implementation. The language of these paragraphs was drawn from consensus language from resolutions on the last implementation agreement of UNCLOS prior to the BBNJ Agreement, namely, the UN Fish Stocks Agreement. The opening for signature of the BBNJ Agreement, as Member States would be aware, was the next major milestone following the celebrated adoption by consensus of the Agreement. The critical importance of the early operationalization and implementation of the Agreement to the rule of law in the ocean and the conservation and sustainable use of its resources, was demonstrated by the 81 signatures that the Agreement received in the week that it opened for signature.

4 Paragraph 3 decides to establish the preparatory commission to prepare for the entry into force of the Agreement and the convening of the first meeting of the Conference of the Parties to the Agreement, and paragraphs 4 to 9 address essential matters for the commission's functioning, namely, the issue of participation in the commission, including for observers, and the applicable procedural rules. I wish to highlight two aspects of the balance that was achieved in connection with these paragraphs. First, open, inclusive and transparent participation by all States in the work of the commission. Every delegation will have the opportunity to participate in the work of the commission. Second, in view of the work of the commission being in preparation of the entry into force of the Agreement and the first meeting of the Conference of the Parties to the Agreement, the taking of decisions in the commission will be by signatories and parties to the Agreement after the end of the period for signing the Agreement or its entry into force, whichever is earlier.

5 The commission will, as decided in paragraph 11, hold a three-day organizational meeting in the first half of this year to discuss organizational matters, including the election of Co-Chairs, a Bureau, the dates of meetings of the commission and the programme of work of the commission. As provided for in paragraph 10, there will be two co-chairs, one from a developed country and one from a developing country taking into account gender balance, and they will be nominated for election by the President of the General Assembly following open and transparent consultations. Paragraph 12 decides that the commission will prepare a final report on all matters within its mandate for presentation to Conference of the Parties at its first meeting.

6 The draft resolution, in other paragraphs, provides the UN Secretariat, in particular, the Division for Ocean Affairs and the Law of the Sea (DOALOS), with the mandate to service the commission; extends the voluntary trust fund for the BBNJ Intergovernmental Conference to the preparatory commission and invites financial contributions to the trust fund; invites States to provide information that would inform the development and provision of capacity-building and technical assistance activities of DOALOS in support of requesting States becoming parties to the Agreement and the effective implementation of the Agreement; and decides to include the item on the BBNJ Agreement in the provisional agenda for the 79th session of the General Assembly.

Mr President,

7 Singapore calls on all Member States to vote in support of draft resolution A/78/L.41 as it has been tabled and without any amendments. We will vote in favour of the draft resolution as tabled and will also vote against the proposed amendments contained in documents A/78/L.43 and A/78/L.44. The proposed amendments have the aim of diminishing the attention and consideration that ought to be given to the great collective achievement of Member States that the BBNJ Agreement represents, and have the objective of bringing about a premature end to the work of the preparatory commission that the draft resolution establishes. They are contrary to the spirit of the draft resolution and undermine what it seeks to achieve.

8 I thank you very much for your attention.

.....