

Upholding the UN Convention on the Law of the Sea

Mr President,

The UN Convention on the Law of the Sea – UNCLOS – is a critical part of the rules-based international system. Its provisions apply to 70% of the surface of the globe and form an essential component of global governance.

The United Kingdom is fully committed to upholding its rules and securing the implementation of its rights and obligations. This commitment is a common endeavour of the international community.

In this context, the UK would like to reaffirm its commitment to the ongoing Biodiversity in areas Beyond National Jurisdiction (BBNJ) process, and express our thanks to Ambassador Rena Lee of Singapore, the Secretariat of the BBNJ process and to all delegations for their efforts to maintain the discussions on this issue despite the impacts of COVID 19.

Mr President,

The United Kingdom welcomes the adoption of this year's Omnibus Resolution on the Oceans and Law of the Sea and we would like to thank the co-ordinator Natalie Morris-Sharma for her hard work. We welcome the fact that the Resolution reaffirms the universal and unified character of UNCLOS, reaffirms also that UNCLOS sets out the legal framework within which all activities in the oceans and seas must be carried out, and underscores that the integrity of the Convention needs to be maintained.

The United Kingdom also welcomes the publication of the Second World Ocean Assessment. This is an important contribution to our scientific understanding of the ocean. It is particularly timely as we look forward to the launch of the UN Decade of Ocean Science for Sustainable Development in 2021. We would like to thank the Group of Experts and the Co-Chairs for the Ad Hoc Working Group for all their work.

The UK regrets that Argentina insisted on importing a political disagreement into the text of a scientific report, despite a clear disclaimer at the beginning of the report that it is without prejudice to such issues.

Mr President,

UNCLOS sets out the legal framework for maritime claims and the rules of freedom of navigation. It also sets out obligations for bilateral, regional and international co-operation, including for the conservation and management of living resources, for the protection and preservation of the marine environment, and for the peaceful settlement of disputes. This legal framework applies in the South China Sea as it also applies across the rest of the world's ocean and seas, and offers a valuable means for dispute resolution.

In that context, the UK would like to underline the importance of unhampered exercise of the freedoms of the high seas, in particular the freedom of navigation and overflight, and of the right of innocent passage enshrined in UNCLOS.

The UK is also clear that UNCLOS sets the specific and exhaustive conditions for the application of straight and archipelagic baselines, which are defined in Part II and Part IV. Therefore there is no legal ground for continental States to treat archipelagos or marine features as a whole entity without respecting the relevant provisions in Part II of UNCLOS or by using those in Part IV applicable only to archipelagic States. The UK would like to take this opportunity to reaffirm that its use of straight baselines is in compliance with Part II of UNCLOS.

The UK will continue to work with the international community to uphold UNCLOS.

Mr President, Turning now to the adoption of the resolution on sustainable fisheries, the United Kingdom joins others in welcoming the adoption of this vital resolution. We would like to thank Mr. Andreas Kravic of Norway, Coordinator of the sustainable fisheries resolution, for his facilitation of the informal consultations; the Division on the Law of the Sea for their ongoing support; and other delegations for their engagement in this important process, despite the constraints placed upon us by Covid-19.

The UN Fish Stocks Agreement continues to be a vital instrument for the conservation and management of straddling fish stocks and highly migratory fish, setting out that management must be based on the precautionary approach and on the best scientific information available.

The Informal Consultations of States Parties, the Review Conference and the sustainable fisheries resolution provide important fora for furthering this discussion. We look forward to participating in these discussions next year.

Thank you, Mr President.