



# **The Permanent Mission of Iceland to the United Nations**

Statement by  
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Permanent Representative

**Oceans and the law of the sea**  
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Mr. President,

The Convention on the Law of the Sea provides the legal framework for all our deliberations on the oceans and the law of the sea. Iceland welcomes recent ratifications of the Convention, which bring the total number of States Parties to 160, as well as signals of further ratifications in the near future. By ratifying and implementing the Convention, the international community sustains and promotes a number of its most cherished goals. Every effort must be made to utilize existing instruments to the fullest before other options, including possible new implementation agreements under the Convention, are given serious consideration.

The three institutions established under the Law of the Sea Convention are all functioning well. The Commission on the Limits of the Continental Shelf has received submissions from more than 50 coastal states, my own country included, regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles. Further submissions are expected in the near future.

My delegation notes with satisfaction the progress in the work of the Commission but share the concern expressed in the draft resolution on oceans and the law of the sea that the heavy workload of the Commission places additional demands and challenges on its members and the United Nations Division on Ocean Affairs and the Law of the Sea (DOALOS). Iceland supports the decision of the nineteenth Meeting of States Parties to the Convention to continue to address, as a matter of priority and through an informal working group, issues related to the workload of the Commission, including funding for its members attending sessions. In order to enable the Commission to consider the high number of submissions in an efficient and timely manner, the Commission should have the possibility to meet more often and hold longer sessions in New York.

Everything must be done to preserve the integrity of the Law of the Sea Convention. Unfortunately, there has been lack of appreciation in some fora of the nature of the rights of the coastal state over its continental shelf. In order to address this, it was considered appropriate to include a paragraph in the draft resolution on oceans and the law of the sea, which refers to article 77, paragraph 3, of the Convention and spells out that the rights of the coastal state over the continental shelf do not depend on occupation, effective or notional, or on any express proclamation. The rights of the coastal state, are in other words, inherent rights and are not dependent upon a submission to the Commission or recommendations by the Commission which are technical in nature and do not address the legal entitlement of the coastal state over its continental shelf.

The United Nations Fish Stocks Agreement is of paramount importance, as it strengthens considerably the framework for conservation and management of straddling and highly migratory fish stocks by regional fisheries management organizations (RFMOs). The effectiveness of the Agreement depends on its wide ratification and implementation. Therefore, we welcome recent ratifications of the Agreement, bringing the number of States Parties to 77. My delegation looks forward to the resumed Review Conference in May next year which will serve to promote a wider participation in the Agreement and strengthen its implementation.

Mr. President,

My country participated actively in the negotiations within United Nations Food and Agricultural Organization (FAO) on the Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated (IUU) Fishing. The Port State Agreement is the first global treaty focused specifically on the problem of IUU fishing. We welcome its approval and opening for signature last month. The objective of the Agreement is to combat IUU fishing through the implementation of effective port state measures, and thereby to ensure the long-term conservation and sustainable use of living marine resources and marine ecosystems.

Under customary international law, the coastal state enjoys full territorial sovereignty over its internal waters. Consequently, foreign vessels' rights to access a state's port are subject to the state's permission. An exception only applies in the case of force majeure or distress. Although port state measures are clearly one of the most powerful and cost-effective means of combating IUU fishing, there has been a lack of coherent application of such measures by port states. While many states have closed their ports to vessels that have engaged in IUU fishing, others states have continued to provide such vessels with services in their ports, thereby supporting illegal activity. To remedy this situation, the international community, including the General Assembly, has been calling for a legally binding international instrument on minimum standards for port state measures.

The Port State Agreement provides minimum standards for port state measures and describes both the measures as such and the conditions for them to be taken. Iceland, which has signed the Agreement and plans to ratify it as soon as possible, encourages other states to do the same, with a view to the early entry into force of the Agreement.

Mr. President,

This fall, the General Assembly conducted a review of actions taken by states and RFMOs regarding bottom fisheries and the protection of vulnerable marine ecosystems (VMEs) from destructive fishing

practices, as called for in its sustainable fisheries resolution 61/105. In our view, the review, which was conducted in a constructive manner and greatly facilitated by the report of DOALOS in cooperation with the FAO, was highly successful.

Iceland fully endorses the paragraphs of the draft sustainable fisheries resolution relating to this important issue. The resolution welcomes, among other things, the important progress made in implementing the relevant paragraphs of resolution 61/105 and addressing the impact of bottom fishing on VMEs.

Mr. President,

My country attaches great importance to the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS). UNICPOLOS is a unique forum for comprehensive discussions among stakeholders and a host of disciplines related to the oceans and the law of the sea, consistent with the framework provided by the Law of the Sea Convention and chapter 17 of Agenda 21. We look forward to the eleventh meeting of UNICPOLOS in June next year which will focus its discussions on the important issue of capacity-building, including marine science.

Iceland welcomes the start-up of the first cycle of the regular process for global reporting and assessment of the state of the marine environment, including socio-economic aspects, which is endorsed in the draft resolution on the oceans and the law of the sea. The course of action set out in the draft resolution, allows for the necessary preparatory work to be conducted in the first year so as to have the first fully integrated assessment of the regular process completed by the year 2014.

We look forward to the reconvening of the Ad Hoc Working Group of the Whole at the end of August 2010, to further consider and make recommendations to the General Assembly at its sixty-fifth session on the modalities for the implementation of the regular process. To ensure a successful outcome of the meeting, my delegation encourages all states to use the opportunity to submit their views to the Secretary-General on the fundamental building blocks of the regular process, as called for in the draft resolution on the oceans and the law of the sea.

As a final note, Iceland would like to emphasize that the vast seas of the Arctic region are vital and vulnerable components of the earth's environment and climate system. The Arctic Ocean should continue to be a priority area for research in the area of climate change. In this regard the role and responsibility of the Arctic Council and its eight member states should continue to be recognized.

I thank you, Mr. President.

