



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

**Statement by  
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to the United Nations**

**Tenth Meeting of the United Nations Open-ended Informal Consultative  
Process on Oceans and the Law of the Sea**

17 June 2009

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At the outset I would like to congratulate you both, Ambassador Paul Badji and Ambassador Don MacKay, on your assumption of the chairmanship and thank you for preparing this important meeting. Allow me also to thank the previous co-chairpersons, Cristián Maquieira and Lorraine Ridgeway, for their hard work and valuable contribution to the Informal Consultative Process (UNICPOLOS).

I would also like to express our appreciation to the Secretariat, in particular the able staff of the Division for Ocean Affairs and the Law of the Sea, for the comprehensive overview report on the Consultative Process.

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In our view, the Consultative Process has successfully fulfilled its role as facilitator for the annual review by the General Assembly of developments in ocean affairs. In this way, the process has exceeded our initial expectations. In particular, it has proven to be a useful forum for the careful consideration of issues put forth in the Secretary-General's annual reports [on oceans and the law of the sea] and produced helpful suggestions on particular issues to be considered by the General Assembly.

The Consultative Process has been effective in drawing attention to key issues in this field. [of oceans and the law of the sea]. As intended, its integrated approach has led to the consideration of, various sectors and important transsectoral issues by participants with a broad range of expertise, related to the oceans and seas.

No doubt, the success of the Consultative Process is due, *inter alia*, to its informal character, the broad participation in its meetings and the free flow of discussions, all of which should be maintained. We find that the efficiency of the Consultative Process has been strengthened and improved in recent years. The discussions have become more focussed, in particular due to the choice of one focus topic instead of two for each meeting.

The overview report provides a good survey of the way outcomes of the nine meetings of the Consultative Process have been incorporated in the relevant General Assembly resolutions. It describes the major actions that have been taken subsequently by states and international organizations.

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The issue of illegal, unreported and unregulated fishing (IUU fishing), one of two topics focussed on at the first meeting of the Consultative Process in 2000, provides a good example in this respect. Therefore, allow me to add a few words on this particular topic.

IUU fishing is without a doubt one of the biggest impediments to sustainable fisheries and constitutes a great threat to marine ecosystems. Understandably, there is a strong political will in the international community to take action to combat IUU fishing. Iceland has put great emphasis on this issue.

Since the first meeting, much has been done at the national, regional and global levels to combat IUU fishing. In 2001, the FAO International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing was adopted, followed by the adoption of several national plans of action. At the regional level, port states have in recent years

cooperated to combat IUU fishing, applying, *inter alia*, negative lists of IUU vessels. The North East Atlantic Fisheries Commission (NEAFC) is a leading example and has been particularly effective in this respect.

The new Agreement on port state measures against IUU fishing, which will hopefully be finalized within the FAO later this year, will provide for minimum standards for port state measures. In the negotiations, Iceland has emphasized that more effective measures must be applied to put an end to these practices. Strong measures must be applied against IUU fishing vessels, including the prohibition of all port services.

Unfortunately, despite all these efforts to combat IUU fishing, such fishing is likely to continue. The measures taken certainly will make IUU fishing more difficult and less economically viable but in our view more effective measures are needed to put an end to these practices. As we have stated earlier, what is required, in particular, are direct actions against vessels that have repeatedly been engaged in IUU fishing on the high seas and fly the flag of irresponsible flag States that are consistently in non-compliance with their obligations with respect to their vessels. These IUU vessels, that typically fly flags of convenience, should not be allowed to hide behind, and take advantage of, the exclusive jurisdiction of an irresponsible flag State. We need to further develop exemptions from, and limitations to, the general principle of exclusive flag State jurisdiction with respect to fishing vessels on the high seas. In this connection, we welcome the FAO Expert Consultation, to be held in Rome next week, to develop criteria for assessing the performance of flag States, as well as to examine possible actions against vessels flying the flags of States not meeting such criteria. The Expert Consultation should benefit from the contribution made by the successful Expert Workshop on Flag State Responsibilities hosted by Canada in Vancouver in March last year.

Conservation of biological diversity is another important issue that the Consultative Process has repeatedly discussed. There has been considerable progress in some areas of conservation and sustainable use of marine biological diversity since the first meeting of the Consultative Process as clearly indicated in the report.

Protection of vulnerable marine ecosystems against destructive fishing practices has been addressed by the General Assembly in recent years. In its Sustainable Fisheries Resolution 61/105 the General Assembly agreed on meaningful measures in this regard, which will be reviewed this fall. On the basis of this resolution "International Guidelines for the Management of Deep-Sea Fisheries in the High Seas" were adopted by FAO in August 2008.

I would like to conclude by reiterating our satisfaction with the work of the ICP. In our assessment, the mandate and the working methods allow for the flexibility needed for a truly member-state-driven process, where the most important topics relevant to sustainable ocean management can be addressed in an adequate manner.