

**Intervention by China at the Second Informal Consultations on the
Draft Political Declaration for the 2022 United Nations Oceans Conference**
(24 March 2022)
(Paragraphs 1 to 10)

Distinguished Co-facilitators,

China appreciates your work and guidance in updating the draft Declaration dated 14 February 2022, while we also encourage the integrated reflections of Member States' comments and proposals in the draft Declaration to facilitate reaching consensus on the outcome document of the 2022 UN Oceans Conference.

At the outset, China aligns itself with the statement and proposals made by Pakistan on behalf of the G77 and China. In addition, China wishes to make the following proposals and comments in its national capacity:

Regarding para.3, China suggests to merge the following language into this para. or add a new para. :

3ter. We welcome commitments made in the Kunming Declaration, adopted in the first part of UN Biodiversity Conference (COP 15) held from 11 to 15 October 2021, in Kunming, China, to develop, adopt and implement an ambitious and transformative post-2020 global biodiversity framework (Based on Kunming Declaration, pp.17, ops.1, 4,14,15)

We believe it is highly relevant to mention the commitments made in the Kunming Declaration to promote the conservation and sustainable use of biological diversity through the post-2020 global biodiversity framework. On the one hand, the Convention on Biological Diversity is one of the international conventions with the largest number of parties and the widest impact globally, and the topic of marine and coastal biodiversity is an important part of the Convention. Furthermore, as one of the most important international agendas in the field of biodiversity at present, establishing a post-2020 global biodiversity framework is also crucial to synergize the efforts in the protection of ocean, marine & coastal biodiversity and the implementation of SDG 14.

Regarding para.5, China suggests the following modification:

“ ... We recognize, in this regard, the particular importance of the [UN Framework Convention on Climate Change and its] Paris Agreement ~~adopted~~

~~under the UN Framework Convention on Climate Change~~ [especially the principle of equity, common but differentiated responsibilities and respective capabilities, in the light of different national circumstances], and we welcome the decision by the Parties to recognize the importance of protecting, conserving and restoring nature and ecosystems, including marine ecosystems, to deliver crucial services, including acting as sinks and reservoirs of greenhouse gases and reducing vulnerability to climate change, as well as the decision to hold an annual dialogue to strengthen ocean-based action.”

We wish to emphasize here that both the UNFCCC and its Paris Agreement are fundamental legal instruments in addressing climate change and they need to be reflected together in the draft Declaration. The principles of equity, common but differentiated responsibilities and respective capabilities are basic norms enshrined in these instruments. Reference to these principles in the draft Declaration is critical to guide our work in tackling the challenges of climate change.

Regarding para.6, China suggests the following modification:

“... We ~~are encouraged by~~ [take note of] the commitments by more than 100 Member States to protect at least 30 percent of the global ocean within Marine Protected Areas and other effective area-based conservation measures by 2030. We also recognize the importance of the United Nations Decade of Ecosystem Restoration and its call to support and scale up efforts to prevent, halt and reverse the degradation of ecosystems worldwide.”

It is a clear fact that the objective of protecting at least 30 percent of the global ocean by 2030 (the “30 by 30” objective) is still under discussion on a number of international platforms and divergent views were expressed in previous consultations. So far, it is an initiative and ambitious goal. It is neither an obligation for States nor a target enshrined in the SDG14. Against this background, it would be appropriate to use a neutral language when we refer to this objective in the draft Declaration. In this regard, the Kunming Declaration adopted in COP15 sets a good example which states “*Noting* the call of many countries to protect and conserve 30 per cent of land and sea areas through well-connected systems of protected areas and other effective area-based conservation measures by 2030” (CBD/COP/15/5/Add.1,pp13)

Regarding para.8, China reiterates its suggestion to delete this para. or to restore the agreed language in the 2017 UN Ocean Conference Declaration, as indicated below:

~~“8. We reaffirm that the Convention on the Law of the Sea sets out the legal framework within which all activities in the ocean and seas must be carried out. [Based on A/RES/76/72]”~~

[We affirm the need to enhance the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea, which provides the legal framework for the conservation and sustainable use of oceans and their resources, as recalled in paragraph 158 of “The future we want”.] (A/RES/71/312, Annex, para.11)

The rationales behind it include:

First, the current version of para.8 is a new language in the context of draft Declaration and obviously the comments from Member States are quite divided.

Second, according to the authorization from A/res/73/292, we should adopt “a brief, concise, action-oriented and intergovernmentally agreed declaration focusing on SDG 14”. The language in the para.11 of the 2017 Declaration, which was adopted by consensus, focuses on the SDG 14 and serves the aims of having “a brief, concise, action-oriented” declaration.

Third, the current language itself is controversial during the consultation of omnibus GA resolution on ocean and the law of the sea. Although we have no intention to underestimate the status and value of the UNCLOS, it has not exhausted all matters concerning maritime rights and duties. International law of the sea is not a closed legal system. On many issues, in addition to the UNCLOS, the applicable law of the sea still needs to resort to general international law, including customary international law. In other words, the UNCLOS is neither the whole of, nor equal to the international law of the sea.

Co-facilitators,

Let me once again assure you China’s support to your work. Thank you.

**Intervention by China for the Second Informal Consultations on the
Political Declaration for the 2022 United Nations Oceans Conference**

(25 March 2022)

(Paragraphs 11 to 15)

Distinguished Co-facilitators,

China aligns itself with the statement and proposals made by Pakistan on behalf of G77 and China. In addition, China wishes to make the following proposals and comments in its national capacity:

Regarding para.11(d), China suggests the following modification:

~~d. Eliminating long-term discharges of marine plastic litter and microplastics into the ocean,~~ **[Taking immediate actions towards the long-term elimination of plastic pollution, including microplastics, in the marine environment,]** including personal protective equipment (PPE), including through contributing to comprehensive life-cycle approaches, developing new materials for consumer and industrial uses that can fully and effectively biodegrade in order to reduce inputs of marine plastic litter, innovation in product design, remediation of marine plastic litter that is already in the ocean and by embracing a common global vision to reduce additional marine plastic litter pollution to zero, [placeholder for outcome of UNEA 5.2 on international agreement on plastics]

The suggested language was used in the resolution entitled “End Plastic Pollution: Towards an Internationally Legally Binding Instrument” (pp.8, UNEP/EA.5/L.23/Rev.1), which was adopted during the resumed fifth session of the UN Environment Assembly. The language as we propose here provides a very useful guidance in this field. It highlights the value of taking actions and is therefore consistent with the “action-oriented” nature of the draft Declaration.

Regarding para.12, China suggests to add a new sub-paragraph after para.12(c) as following:

[Building Blue Partnership to consolidate and innovate cooperation mechanisms for sustainable ocean-related economy development, better use of ocean resources, scientific and technological innovation, and ecosystem protection.]

Cooperation is of vital importance to ensure the sustainable development of the ocean. Building Blue Partnership will promote a sustainable blue economy and

explore possibilities to facilitate closer business-to-business interactions and information exchange. Its implementation can play a major role in achieving SDG14. Here are some examples: in November 2017, a blue partnership was established between China and Portugal, aspiring to build a sustainable marine ecological civilization. In July 2018, China and EU signed an agreement entitled “Blue Partnership for the Oceans: Towards Better Ocean Governance, sustainable fisheries and a thriving maritime economy” aiming to promote better ocean governance and policy coordination between the two parties. In May 2019, the First China-EU Blue Partnership Forum for the Oceans was held by the EU Commission in Brussel, gathering greater eagerness to work together and improve international ocean governance .

Regarding para.12(d), China suggests the following modification:

[Emphasize that the further support is needed from developed countries especially the transfer of technology, capacity building and financing to developing countries, and further stress in this regard that the call in COP26 that developed country Parties should fully deliver on the USD 100 billion goal urgently and through to 2025, and emphasizes the importance of transparency in the implementation of their pledges.] Explore, develop and promote innovative financing solutions for the development of sustainable ocean-based economies, including through public-private sector partnerships and capital market instruments, provide technical assistance to enhance the bankability and feasibility of projects, as well as mainstream the values of marine natural capital into decision-making and address barriers to accessing financing,

The suggested language is based on the paras.20, 22 of the 2021 Ministerial Declaration of HLPF, and para.27 of the Glasgow Climate Pact. In order to achieve the sustainable development goals, it is crucial for the the developed countries to fulfill their responsibility to enhance the capacity building of developing countries crucial. Against this background, it is highly relevant and a clear fact that developed countries reaffirmed their duty to fulfill the pledge of providing 100 billion dollars annually from developed to developing countries in COP26, which is imperative for developing countries to address increasing impacts of climate change.

Thank you, Co-facilitators.