

Statement by Alex Herman on behalf of the Cook Islands

14 July 2023

Report on the outcome of the intersessional dialogue and the briefing note of the co-facilitators, with a view to adopting a Council decision

Mr President,

As this is the first time my delegation has taken the floor, I thank you for your excellent leadership in this 28th session – and I assure you of the Cook Islands full support.

We also extend our appreciation to the Government and people of Jamaica for your warm hospitality and for welcoming us into your beautiful country.

Allow me to also acknowledge and thank the Secretariat, fellow member States, Observers, and the multitude of organisations and experts that have all contributed significant time, effort and resources to the important work of the Council.

In line with the precautionary principle – we all agree on the need to put in place a robust regulatory framework, based on scientific evidence – before decisions on the exploitation of seabed minerals can occur.

We wish to thank delegations who have expressed their concerns – and assure you that this is a shared concern by us all.

As such, the Cook Islands encourages all delegations to continue working collectively and constructively towards finalising the draft exploitation regulations in good faith – so that we can ensure the effective protection of the marine environment and the realisation of the common heritage of humankind.

To that end, the Cook Islands supports the requests for the Council to provide us with further guidance and direction on the timeline for the completion of the relevant regulations, rules and procedures.

We also support the earlier requests by delegations for a consolidated version of the draft exploitations prior to the upcoming session.

Mr President,

We reiterate our commitment to the adherence with international law and the rules-based order.

We also reaffirm our commitment towards the integrity and effective implementation of UNCLOS and the 1994 Agreement.

As a State party to UNCLOS, and more particularly as a Small Island Developing State, we place a very high value on the principles and rights enshrined in UNCLOS.

Rights that we acknowledge were hard fought and the result of decades of difficult negotiations and compromise between States.

It is therefore with deep concern that we note that some of the recent statements we have heard appear to predetermine decision-making of the Council.

This undermines due process.

This undermines the exercise of sovereign rights.

This undermines UNCLOS.

We might not always agree on the best way forward, however it is essential that we respect and uphold the integrity of UNCLOS, and that we do not give way to pressures to unilaterally subvert multilateral processes.

Mr President,

We thank the numerous delegations calling for cooperation, negotiations in good faith and further dialogue - and importantly the commitment to upholding UNCLOS in its entirety.

The Cook Islands remains open to discussing these issues with all countries.

Mr President,

Turning briefly to the informal intersessional dialogue,

The Cook Islands would like to join other delegations in thanking the Co-Facilitators Singapore and Belgium for your good work, as well as your very helpful Briefing Note.

The Cook Islands will take the opportunity to share our preliminary views on these issues next week.

I thank you Mr President,