

LOURDES A. LEON GUERRERO
GOVERNOR



JOSHUA F. TENORIO
LT. GOVERNOR

UFISINAN I MAGA'HAĞAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

Transmitted via Electronic mail to: Mereseinim@forumsec.org

May 10, 2022

Mereseini Marau
Communications Officer
Office of the Pacific Ocean Commissioner
Pacific Islands Forum Secretariat
The Secretary-General
Pacific Islands Forum Secretariat
Private Mail Bag
Suva, Fiji

Re: Guam's Submittal to the Pacific Ocean's Alliance Request for Contributions

Håfa Adai,

My office is in receipt of your email, dated May 2, 2022, requesting contributions to the 2022 Report of the United Nations Secretary-General on Oceans and the Law of the Sea. As requested, enclosed in this letter is Guam's contribution.

On behalf of Guam, we appreciate the opportunity to contribute to this endeavor. Please do not hesitate to contact my office if you need further information or assistance, or if you wish to further discuss this matter.

Senseramente,

A handwritten signature in black ink, appearing to read "Lourdes A. Leon Guerrero".

LOURDES A. LEON GUERRERO

Maga'hågan Guåhan
Governor of Guam

Enclosure: Guam's Submittal to the Pacific Ocean's Alliance Request for Contributions 2022
Report of the Secretary-General on Oceans and the Law of the Sea

Cc: OOG, Office of Legal Counsel
Guam Bureau of Statistics and Plans

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Guam's Submittal to the Pacific Ocean's Alliance Request for Contributions

2022 Report of the Secretary-General on Oceans and the Law of the Sea

This report represents Guam's submittal to the Pacific Ocean's Alliance request for member contributions to the 2022 Report of the Secretary-General on Oceans and the Law of the Sea.

I. BACKGROUND

In 2011, Guam was granted observer status in the Pacific Islands Forum.¹ In 2019, Guam became a participant member of the Pacific Oceans Alliance ("POA").

On May 5, 2022, the POA requested from the Office of the Governor of Guam for contributions to the 2022 Report of the United Nations Secretary-General on Oceans and the Law of the Sea. POA's request referenced a [request letter](#) dated April 11, 2022, from the United Nations ("UN") Legal Counsel and Under-Secretary-General for Legal Affairs ("UN Request Letter"), regarding contributions to the Secretary-General's report on oceans and the law of the sea. Specifically, the UN Request Letter seeks contributions from the respective contributing jurisdictions on the following items:

- Activities, including adoption of measures, development of programs, etc. that have been undertaken or ongoing in implementing provisions of General Assembly resolution 76/72; and
- Main developments in the field of ocean affairs and the law of the sea, since August 31, 2021.²

Pursuant to POA's request, Guam's Bureau of Statistics and Plans ("BSP") sought responses from various Government of Guam agencies, and received responses from: (1) Guam Waterworks Authority, which includes input from UOG's Dr. Romina King, Dr. Austin Shelton, Fran Castro, the Nature Conservancy; (2) Guam Coastal Management Program; (3) The Port Authority of Guam; (4) The Commission on Decolonization; (5) Guam's Department of Agriculture; and (6) Guam's Coral Reef Initiative. This report compiles agency responses, applying the items noted in the UN Request Letter, and General Resolution 76/72.

II. GUAM'S CONTRIBUTIONS

Guam seeks to continue supporting the goals and purposes of the Pacific Ocean's Alliance and the Pacific Island Forum through various voluntary activities that support the conservation and sustainable use of coastal and marine resources. This section provides Guam's activities, including adopting measures and developing programs, that have been undertaken or are ongoing in the implementation of General Assembly resolution 76/72.³ Although provisions of General Assembly

¹ UN Secretariat, Guam Working Paper, A/AC.109/2021/9 (Feb. 18, 2021), at 13.

² See UN Request Letter at 1.

³ See UN Request Letter at 1.

resolution 76/72 apply to the Member States and intergovernmental organizations, Guam has taken voluntary actions that relate to the following provisions:

- Marine environment and marine resources (Provision IX);
- Regional cooperation (Provision XIII);
- Coordination and cooperation (Provision XV);
- Capacity-building (Provision II); and
- Marine biodiversity (Provision X).

A. Relating to the Provision on Marine Environment and Marine Resources of General Assembly resolution 76/72⁴

¶ 199 of General Assembly resolution 76/72. Relative to ¶ 199 of G.A. Res. 76/72, Guam has incorporated and implemented the UN Sustainability Goals referenced in the 2030 Agenda through executive order and legislation.

Creation of Guam Green Growth. Governor of Guam Lourdes A. Leon Guerrero issued an executive order implementing the UN's Sustainability Goal 14 ("Goal 14") to "conserve and sustainably use the oceans, seas and marine resources for sustainable development."⁵ The executive order delegates implementation of Goal 14 to a newly created working group: the "Guam Green Growth" ("G3").⁶ The G3 is an 80-member public-private partnership facilitated by the University of Guam Center for Island Sustainability, with a mission to accelerate locally and culturally relevant sustainability solutions through the implementation of UN Sustainability Goals provided in the 2030 Agenda.⁷

Since September 2021, G3 has engaged in several activities to implement Goal 14. Specific to Goal 14.1 to prevent and significantly reduce marine pollution from land-based activities,⁸ G3 has [engaged](#) in coastal and beach cleanups; and vegetation and tree planting efforts to prevent erosion. To date, G3 has collected over 500 bags of trash, 70,000 cans, and planted over 2,800 trees—which in the cumulative, helps prevent marine pollution.

Guåhan 2050 Sustainability Plan. Guam's planning laws incorporate the UN Sustainable Development goals in the context of developing the "Guåhan 2050 Sustainability Plan," which is a short- and long-term development for the island.⁹ In the context of Goal 14, Guam law requires

⁴ G.A. Res. 76/72 (Dec. 20, 2021), Provision IX. Marine environment and marine resources.

⁵ See also G.A. Res. 70/1 (Oct. 21, 2015) at 23 -24.

⁶ Guam Executive Order 2019-23 §§ 1, 3 (Sept. 25, 2019).

⁷ Guam Executive Order 2019-23; see G.A. Res. 70/1 (Oct. 21, 2015) at 14.

⁸ See also G.A. Res. 70/1 (Oct. 21, 2015) at 23.

⁹ 5 GCA § 1210.

the *Guåhan* 2050 Sustainability Plan to include a conservation element to guide the conservation of fisheries, and coral reefs.¹⁰ Guam law provides that the conservation element may include guidance on the “protection of coral reefs and productive seas in marine protected areas.”¹¹

Guam laws mandate that BSP develop the “*Guåhan* 2050 Sustainability Plan,”¹² guided by the UN's Sustainable Development goals.¹³ Currently, BSP is in the process of developing the *Guåhan* 2050 Sustainability Plan with funding awarded under the FY 2021 Technical Assistance Grant Program. More specifically, BSP is currently undergoing the Request for Proposal process to contract professional services to develop the *Guåhan* 2050 Sustainability Plan. These ongoing activities promote the conservation elements of Goal 14.

¶¶ 204 and 250 of General Assembly resolution 76/72. Guam's Coastal Zone Management Program (GCMP) engages in activities on marine spatial planning and coastal zone management. Currently, GCMP is studying Guam's seashore reserves to establish baseline research on impacts on the marine spatial area, utilizing tools and assistance from local and national partners, and from partners at Duke University. GCMP is engaging in a step-by-step approach to marine spatial—first by setting the baseline—with the purpose of contributing to the protection and preservation of the marine environment through effective local management efforts.

Moreover, in the context of coastal zone management, GCMP continues its collaboration with federal and local natural resource agencies in protecting coastal habitats, and providing GIS technology and demonstration projects. GCMP acknowledges and welcomes sections 204 and 250 of General Assembly resolution 76/72, especially as it relates to supporting local projects to update the *Guåhan* 2050 Sustainability Plan, and Guam's Seashore Reserve Plan.

¶ 253 of General Assembly resolution 76/72. The Port Authority of Guam (PAG) is engaged in activities, such as coastal development projects, in a manner that promote protection of the marine habitat and environment, and mitigate the negative consequences of such activities. For example, PAG's Hotel Wharf's ongoing repair and maintenance work along the coastline include [plans](#) to mitigate direct impacts on the coral reef, in accordance with federal laws and policies. These activities include coral relocation, debris removal, public education and outreach, and water quality improvements through stormwater management.

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¹⁰ 5 GCA § 1210(j).

¹¹ 5 GCA § 1210(j)(7).

¹² 5 GCA § 1203(a).

¹³ 5 GCA § 1210.

B. Relating to Provisions on Regional cooperation, and Coordination and Cooperation of General Assembly resolution 76/72¹⁴

Relative to ¶¶ 332, 333, 338, 339, and 357 of G.A. Res. 76/72, Guam is actively engaged with national, regional, and international partners in ongoing, coordinated efforts to respond to issues relating to oceans and the law of the sea, including capacity-building, maritime safety and security, the conservation and sustainable use of living marine resources, and the protection and preservation of the marine environment. The following is an outline of Guam's activities:

- Guam has been a founding member of Local 2030 Island's Network, a member of Global Island Partnership (GLISPA), and partner in the Micronesia Challenge. These collaborative partnerships support efforts to advance the UN's Sustainable Development Goals, and work to improve local communities and address the impacts of climate change.
- In August 2021, the Port Authority of Guam (PAG) partnered with the Commonwealth of Northern Mariana Islands' ("CNMI") Commonwealth Ports Authority in the U.S. Maritime Administration's Marine Highway Designation. Notably, PAG's new CNMI partnership seeks to enhance coordination between Guam and CNMI, especially relating to maritime safety and security. The PAG continues to engage in activities in accordance with all local and federal environmental regulations, permit requirements, and continues to employ best management practices.
- In May 2022, Guam representatives participated in the Our Ocean Conference, located in Palau. Guam representatives are encouraged by the commitments many nations made during the conference toward conserving and protecting ocean resources. To this end, our representatives are committed to pursuing critical local initiatives, including efforts to (1) strengthen regional and international relationships, (2) share critical data and strategies to address climate change impacts, (3) ensure that funds are available to address critical issues such as enforcement for illegal fishing, (4) promote research on marine and coral reef resiliency, and (5) promote climate change models that are appropriately scaled. Accordingly, Guam is dedicated to ensuring its ocean resources are properly managed and used in a sustainable manner, especially as small island nations and territories continue to face the deleterious impacts of climate change.
- In coordination and cooperation with our national, regional, and international partners, Guam seeks to address its concerns by expanding on, or engaging in the following activities and initiatives:
 - Expanding ratification and effective implementation of the Port State Measures Agreement—a global agreement that encourages port countries to implement rules

¹⁴ G.A. Res. 76/72, Provisions XIII. Regional cooperation, and XV. Coordination and cooperation.

that block entry of IUU fish into their markets, and to strengthen ocean governance regimes through the adoption of measures such as electronic monitoring for fisheries, which lead to better decision-making. Guam acknowledges that electronic monitoring is critical to ensuring equality in the sea.

- Supporting increased funding for enforcement to small island nations from countries engaged in illegal fishing, and supporting funding for small islands to develop commercial fishing industries to compete in the global market.
- Endorsing an agreement on a United Nations treaty to protect the High Seas.
- Endorsing the Pacific Island Forum's Declaration on Preserving Maritime Zones in the face of Climate Change. Guam supports the Declaration and intends to observe the established area in its Exclusive Economic Zone ("EEZ"), even if it is impacted by sea-level rise.
- Supporting efforts to ensure EEZ boundaries between small island nations and larger countries are observed, maintained, and formalized.
- Continuing efforts to reduce marine debris, especially plastics and microplastics that have a detrimental impact on the health of marine resources, including fish and other food sources.
- Seeking and providing additional support for initiatives such as the Micronesia Challenge and other multi-national partnerships, especially those that encourage regional collaboration and sharing of critical data.
- Supporting international cooperation, national planning, and developing models on sea-level rise impacted data gaps and providing monitoring data in a timely manner.
- Supporting local educational institutions such as the University of Guam Marine Laboratory and the Palau International Coral Reef Center, and other regional institutions that conduct research on coral reef resiliency within the region and scientific research that is localized.
- Supporting increased community awareness of climate change impacts on the ocean and the marine environment through various local outreach projects.
- Supporting efforts to reduce greenhouse gas emissions and ocean acidification to better address the decline of Guam's coral reefs.

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C. Relating to Provisions on Capacity-building of General Assembly resolution 76/72¹⁵

Relative to ¶¶ 15, and 18 of G.A. Res. 76/72, Guam's Sea Grant program is undertaking activities to increase capacity building in areas that support research on conserving coastal and marine resources. In 2022, Guam's Sea Grant program was elevated to Institutional Status and is now poised to provide resources to support research, extension, and education for coastal resources in Guam and the Micronesia region. University of Guam Sea Grant is one of 34 programs within the National Sea Grant College Program — a partnership among universities and the National Oceanic and Atmospheric Administration that seeks to enhance the practical use and conservation of coastal and marine resources to create a sustainable economy and environment. The Sea Grant network includes more than 3,000 scientists, engineers, public outreach experts, educators, and students. Guam remains engaged with national partners in an effort to build capacities in the marine sciences, particularly by supporting and bridging opportunities for local and indigenous populations.

Additionally, in September 2021, Guam's Sea Grant program conducted community training to build capacity in the field of aquaculture. The training provided the community with access to skills to operate aquaculture systems, and raise fish, such as red tilapia. By building capacity in aquaculture through local partnerships, including Island Girl Power, Guåhan Sustainable Culture, and village mayors' offices, Guam's Sea Grant Program is engaging in actions to promote UN Goal 14.

D. Relating to Provisions on Marine Biodiversity of General Assembly resolution 76/72¹⁶

Relative to ¶¶ 264, 265, 272, 279, 281, and 284 of G.A. Res. 76/72, Guam has engaged in activities to promote marine biodiversity, as a member of the Micronesia Challenge, through Guam's Coral Reef Initiative, and through the University of Guam's Marine Laboratory ("UOG Marine Lab"). By collaborating and engaging with regional leaders, Guam continues its commitment to the Micronesian Challenge and pursuing conservation efforts related to domestic marine protected areas. For example, Guam has invested considerable resources to upscale local coral reef restoration efforts through its Coral Reef Initiative.

Additionally, the UOG Marine Lab contributes to marine research regionally and nationally, with an emphasis on conservation and adaptation to climate change in Guam and Micronesia. Current and ongoing research at the UOG Marine Lab includes coral genetic connectivity across the

¹⁵ G.A. Res. 76/72, Provision II. Capacity-building.

¹⁶ G.A. Res. 76/72, Provision X. Marine biodiversity.

Pacific, coral taxonomy and phylogeny, fisheries health, coral diseases, diver effects on coral reefs, the taxonomy of coralline algae, coral restoration, shark genetic connectivity within the Marianas, and reef adaptations to climate change.

Finally, relevant to ¶ 281 of G.A. Res. 76/72, Guam has engaged in activities that promote technical collaboration and voluntary information-sharing. In collaboration with Hawai'i Green Growth and Esri, Guam developed the [G3 Dashboard](#), which is an online portal that allows open, all-inclusive public access to data on the status of projects relating to the UN Sustainability Goals. In 2022, Guam shared information on the G3 Dashboard at the Our Ocean conference, which was well-received by region leaders, including the President of Palau.