



Statement by H.E. Archbishop Bernardito Auza
Apostolic Nuncio, Permanent Observer of the Holy See
24th Session of the Assembly of the International Seabed Authority
Kingston, 23-27 July 2018

Mr. President,

My Delegation congratulates you on your election as President of this Assembly and welcomes the opportunity to participate in these important discussions.

The Holy See appreciates the progress made by the International Seabed Authority in preparing a regulatory framework for deep seabed mining, the development of a five-year Strategic Plan, and the steps taken toward formulating regional environmental management plans for mid-ocean ridges and the North-West Pacific.

The underlying motivation behind all prospective mining activities in the seabed is the growing need for minerals due to the scarcity and depletion of these resources on land. Driving factors are growing human need, greater technological capabilities and increased geopolitical aspirations with respect to resources in areas beyond national jurisdiction.

On the issue of crafting a regulatory structure and weighing competing measures, my Delegation would like to emphasize three things.

First, it is crucial to remember that people are at the center of our decisions and actions. Transparency, inclusion and accountability of all stakeholders participating in the process are necessary so that the people who are or will be directly impacted, now or in the future, may be actively involved and their interests duly taken into account. People whose communities and livelihoods might be affected should be able to share in the benefits, not only through benefit-sharing schemes, but also through job opportunities and professional development. Good law flows from putting people ahead of short-term profit.

Second, seabed mining and the vast majority of activities in areas beyond national jurisdiction are done in a commercial context. As the primary regulator, the Authority therefore interfaces not only with States and Intergovernmental Organizations, but also with commercial enterprises, including mining companies and contractors, technology firms, financial institutions, private investors, scientists, consultants, lobbyists and others. Although they are not parties to the UN Convention on the Law of the Sea, they are players inextricably involved in all regulations. For this reason, in order to enforce Authority

mandates, economic, environmental and social tools relevant to these primary business stakeholders must be considered in respect of the governance structure. Although Part XI of the Draft Regulation does not reach all actors along the supply chain and is restricted to activities on the seabed floor, this should not keep the Authority from examining the industrial process from start to finish. In this regard, we were glad to hear of the ISA's collaboration with the International Maritime Organization.

Third, as noted in the Strategic Plan, activities in the deep ocean are fraught with risks, including scientific, technological, environmental, social and financial risks. My Delegation believes that identifying and understanding such risks is the best way possible to avoid or minimize harmful consequences and reducing those risks and consequences is the primary means to protect people and the environment and to allow for more effective, long-term sustainable management of resources. My Delegation encourages the Authority and its member States to broaden the regulatory perspective to include specific actions to avoid and minimize risks.

Regulations have to be strengthened since their disjointed implementation, control and penalization, have the unwanted effect of undermining them. What is needed, as Pope Francis notes: "is an agreement on systems of governance for the whole range of so-called 'global commons'".¹

Mr. President,

It is paramount to ensure that any exploitation of seabed resources is done with the greatest care and responsibility. For this reason, the Holy See believes that every action taken should be based on a "responsibilities-based" approach, one that has among its founding principles the protection of the environment and an equitable benefit-sharing, in particular with those populations whose lives and livelihoods are most directly impacted.

Thank you, Mr. President.

¹ Pope Francis, Encyclical Letter *Laudato Si*, 24 May 2015, n. 174.