



Statement by H.E. Archbishop Bernardito Auza
Apostolic Nuncio, Permanent Observer of the Holy See
25th Session of the Assembly of the International Seabed Authority
*Agenda Item 10: Implementation of the strategic plan of the International Seabed
Authority for the period 2019–2023*
Kingston, 24 July 2019

Madam President,

My Delegation would like to thank the Secretary-General and his team for preparing all the documentation related to this agenda item in a competent and timely manner. The Holy See is supportive of the comprehensive work done with respect to the Strategic Plan and the corresponding High-Level Action Plan and related indicators. We agree that given the ability to adapt the plan and indicators as they become more tested, it is not critical for the enumerated plan and performance indicators to be perfected at this time. In this regard, however, my Delegation would like to offer some comments on the draft High-Level Action Plan, in particular, on strategic directions and corresponding high-level actions.

SD 1 Realizing the role of the Authority in a Global Context

My Delegation agrees that strengthening relationships with other bodies, including through the establishment of partnerships and programs and other cooperative endeavors will contribute to the Authority realizing its role.

Performance indicators could be more effective if they focused solely on work done by the Authority and not decisions by States whether or not to ratify agreements – **PI 1.3, 1.4 and 1.5** are really only a recognition of global influence and not an indication of performance.

More importantly, we would suggest that **high-level action 4.3.2** be moved to SD 1 as, in our view, it has to do more with the Authority's primary role than with the promotion of scientific research. The provision relates to raising awareness of the Authority's database as the primary repository for data and information related to the deep seabed. My Delegation believes that the most important way of improving the Authority's role in a global context is for the Authority to make significant strides as the repository and central coordinator of the most extensive, richest information and data pertaining to the seabed.

SD 2 Strengthen the regulatory framework for activities in the Area

My Delegation appreciates that the Strategic Direction, Action Plan and related indicators are fairly comprehensive regarding strengthening the regulatory framework and reflecting ongoing work. We particularly support **PI 2.2** regarding national legislation.

One additional suggestion for a PI with respect to **SD 2.5 and 2.6 and related Action Plan points** is including a measure of the relationships with land-based metal market regulators, traders and dealers to gain information and understanding for making regulatory assessments and analysis. In addition, mention of further work with Sponsoring States, land-based producers, the IMO and flag States, and in particular with the States in which refining operations will occur could be included.

SD 3 Protect the marine environment

With respect to **high-level action 3.3.1** regarding facilitating access to information, my Delegation has reservations concerning what environmental information could be categorized as confidential unless it involves the amount or quality of the resource itself. We have some concern that environmental information could be considered confidential that is commercially sold or licensed or that forms the basis for a patent or is otherwise later protected by international property laws.

With respect to **SD 3.4** regarding developing robust methodologies to assess potential risk with respect to activities in the Area, my Delegation would suggest that the Action Plan and related performance indicators should specifically mention economic methodologies regarding risk and the ongoing work related to this. This will likely include statistical work regarding surety bonds, insurance and other financial measures to ensure protection of the ecological balance of the marine environment as well as economic valuation of the environmental resources that would be lost in a contract area in the event of unforeseen consequences from mining activities.

SD 4 Promote and encourage marine scientific research in the Area

In connection with **SD 4.1**, the Authority may want to consider the economic value of environmental information, data and possible genetic resources gleaned from the seabed. This is significant in creating a baseline and fully comprehending the common heritage of mankind.

With respect to **SD 4.2 and 4.3**: we note that even though it is simply repeated from the SD to the Action Plan and may be a matter of wording, the term “when available” in **high-level actions 4.2.1 and 4.2.2** seems unclear and drastically weakens the anticipated action, especially since it refers to information obtained from contractors. One useful performance indicator that would clarify this term might be an analysis of the consequences of confidentiality, voluntary sharing, and intellectual property laws.

With respect to **SD 4.3** and the Action Plan, again in our view **high-level action 4.3.2** is more appropriately placed under SD 1.

As a more general comment, the action points are significant in creating goals for expanding knowledge and information and closing the gaps in the global scientific framework. However, we observe that although the role of the ISA as regulator is not to actually do scientific research, the need for quantifiable advancements in scientific understanding of the marine environment in order to best regulate human activities and make informed decisions is vital to its mandate. We would therefore hope that in the future, more specific action and indicators with respect to the performance of the Authority will target the scientific understanding itself.

SD 5 Build capacity for developing States

My Delegation posits that the most effective action with respect to capacity building of developing States will be tied to the work, goals and requirements of a structured initiative, research program or business endeavor because the needs are more readily identifiable; furthermore, this coupling of immediate work and needs can also help to provide the funding. Therefore, we are very supportive of **SD 5.3 and high-level action 5.3.1**. However, we are concerned that performance indicator **PI 5.3** does not usefully indicate progress. For example, we are unsure how “long-term impact” will be measured within the next 5 years. Long-term impact is measured not by training but by hiring human resources from the developing world, and improving business opportunities and economic expansion there. Therefore, it is preferable to judge the result of the training, that is - the hiring, rather than the training itself.

Examples of some better measures of success might be the amount of deep seabed mining jobs offered to members of developing States; the number of applicants for work on exploration contracts that have been hired out of the training programs; the number of scientific researchers hiring scientists from developing States trained with the help of the Authority; the number of persons from developing States trained in bathymetry and taxonomy through the auspices of the Authority; the number of developing State companies able to participate in seabed mining; and the number of developing State Sponsors actively involved in current exploration contracts other than the Enterprise.

SD 6 Ensure fully integrated participation by developing States

Again, while my Delegation deeply appreciates the actions enumerated in SD 6 and the corresponding Action Plan points, particularly those related to funding, we are concerned that the plan lacks practical specificity. For example, with respect to funding of the voluntary trust fund, the performance indicators count how many members and non-members contributed and how many persons benefitted in different ways; however, it would be more useful to measure how much money was actually raised and collected in the funds, whether the amount was sufficient to meet the demonstrated need, and what the deficiency was, if any. If the ISA raises sufficient funds to meet its needs of all

developing States, then in fact it doesn't matter whether it came from 1 donor or 100 donors. In addition, a measure of action to increase the funds to meet the need, whether through additional advancements efforts, business-related profit and proprietary funds, or through other investment would be indicated.

SD 8 Improve the organizational performance of the Authority

My Delegation recommends that a reference to preventing conflicts of interest in the organizational structure should be included in high-level action 8.1.1 and/or 8.1.6.

Thank you, Madam President.