

**WRITTEN COMMENTS OF THE ARGENTINE REPUBLIC ON THE HIGH LEVEL ACTION PLAN OF THE INTERNATIONAL SEABED AUTHORITY AND PRIORITIES FOR THE PERIOD 2019-2023**

As regards to the High Level Action Plan of the International Seabed Authority (ISA) and priorities for the period 2019-2023, the Argentine Republic deems important to make the following written comments:

- a) SD 2.6: In the framework of the Strategic Direction 2 “Strengthen the regulatory framework for activities in the area”, it was established that the ISA will

*“Conduct a study of the potential impact of mineral production from the Area on the economies of developing land-based producers of those minerals that are likely to be most seriously affected, with a view to minimizing their difficulties and assisting them in their economic adjustment, taking into account the work done in this regard by the Preparatory Commission for the International Seabed Authority and for the International Tribunal for the Law of the Sea (1994 Agreement, annex, sect. 1 (5) (e)), and develop possible criteria for economic assistance.”*

However, the respective High Level Action (HLA 2.6.1) does not seem to reflect accurately its terms. In fact, this HLA it is only aimed at identifying the potential impact of mineral production from the Area on the economies of developing land-based producers, whereas it should also address the development of possible criteria for economic assistance.

- b) SD 3.2: This SD is aimed at “Develop[ing], implement[ing] and keep[ing] under review regional environmental assessments and management plans for all mineral provinces in the Area where exploration or exploitation **is taking place** to ensure sufficient protection of the marine environment as required by, inter alia, article 145 and Part XII of the Convention.” Nevertheless, as regards the highlighted verb, its respective HLAs (3.2.1, 3.2.2, 3.2.3) express “where exploration or exploitation is taking place **or will take place**”. Taking into account that the effects of including such a provision (“or will take place”) could be different to those that were foreseen in the SD, this issue should be clarified.

c) SD 3.5: The drafting of the related output to the HLA 3.5.3 should be clarified in order to define to what “guidelines relating to the development and management of marine protected areas beyond national jurisdictions” it refers.

d) SD 5.3: This SD aims to enable of capacity-building measures to be mainstreamed into relevant initiatives. In the light of that provision, its respective HLA (5.3.1) seeks to “to promote, prioritize and implement capacity-building measures in all projects and activities, as practicable as possible, implemented by ISA, alone and in partnership”. In this regard, it is important to mention that these measures should take into account the needs identified by developing States.

e) SD 7.1: The respective HLA (7.1.1) establishes that the ISA will “Develop and implement rules, regulations and procedures for the equitable sharing of financial and other economic benefits derived from activities in the Area”. In this regard, it should be mentioned that these actions should be taken on a non discriminatory basis, in accordance with article 160 (f) (i) of the UNCLOS.

f) SD 9.1: The HLA (9.1.2) sets out that the ISA will “Raise awareness of the role of ISA in **global ocean governance** and for the implementation of the 2030 Agenda”. It is noted that the term “ocean governance” is broad and general and it is not defined in international agreements. In this regard, it is suggested to replace “ocean governance” with “ocean management”.

g) SD 9.4: The LTC must preserve its primary role regarding the definition of the output related to the HLA 9.4.2.

**In spite of the aforesaid, Argentina reserves the right to make further comments to the High Level Action Plan of the International Seabed Authority in the corresponding instances.**