

**DRAFT**

**Remarks**

**by**

**Senator the Honourable Kamina Johnson Smith  
Minister of Foreign Affairs and Foreign Trade**

**on the occasion of**

**The Special Commemorative Session for the 40<sup>th</sup> Anniversary of the Adoption of  
the United Nations Convention on the Law of the Sea (“the Montego Bay  
Convention”)**

**Monday, 1<sup>st</sup> August 2022**

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Mr President,

As this is the first time that I am taking the floor during this year’s meetings of the Authority, please allow me to congratulate you on your election to the Presidency for the 27<sup>th</sup> Session of the Assembly. I also use the opportunity to express full confidence in your leadership as we seek to address the critical challenges before us in an environment in which the work of the Authority continues to attract increased international scrutiny.

Mr. President,

Jamaica is pleased to join fellow Member States of the Authority at this Special Commemorative Session to mark the 40<sup>th</sup> Anniversary of the adoption of UN Convention on the Law of the Sea - “the Montego Bay Convention”. This commemoration is all the more meaningful for Jamaica as it coincides with our celebration of sixty years of Independence.

For Jamaica, the Montego Bay Convention serves as a best practice for the governance of global commons. It is one of the first, and few instances, in which the interests of humanity have been elevated above State sovereignty and national interests and codified in international law.

Jamaica is therefore extremely proud of its contribution to the elaboration and eventual adoption of the Montego Bay Convention. We are also proud of our historical leadership, along with others, in strengthening the rule of the law of the sea.

The opening for signature of the Convention in Montego Bay, Jamaica, on 10<sup>th</sup> December 1982, accompanied by its actual signature by a significant number of countries on that very date, was a critical impetus to the early development of the framework for the governance of oceans and seas. The current near universal membership of the Convention reinforces the validity of the path undertaken 40 years ago and demonstrates the continued relevance of the “Constitution for the Oceans.”

Another intrinsic contribution to the relevance of the Convention is the Tribunal for the Law of the Sea which, through its legal framework, has clarified our collective responsibilities as to the stewardship of the international seabed Area. This legal framework has also facilitated the successful negotiation of countless maritime disputes. The Convention also continues to guide our collective efforts to regulate the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction (BBNJ).

Additionally, the Convention is one of the few international legal instruments that has expressly codified and institutionalised safeguarding the special interests and needs of developing countries, including Small Island Developing States (SIDS), in the regulation of our global commons.

On that basis, therefore, and with a view to the future development of Deep-Sea Mining, we remain committed to developing a sound, stringent, balanced, and comprehensive regulatory framework. We are guided by the tenets of the precautionary approach, best available science, and transparency and equity, in accessing the Area and its resources, to safeguard the ‘common heritage of humankind’.

Mr President,

As the work of the Authority has come under increased scrutiny in recent times, in a year in which we have celebrated three global conferences on Oceans, and as misinformation abounds, we now have an important responsibility to recall and champion one of the

precepts of the Montego Bay Convention – that is, the precautionary approach to protecting the ‘common heritage of humankind’, and one to which we have endeavoured to remain true.

While Jamaica continues to attach significant importance to the full and effective implementation of UNCLOS, I wish to state unequivocally, that the Government of Jamaica is not prepared to support deep-seabed mining before an appropriate, robust regulatory framework is put in place, in keeping with the guiding thrust of our deliberations.

We insist that finalization of the Regulations on Exploitation of Mineral Resources in the Area must be the product of a diligent, inclusive, and measured process of deliberations and consultations, which should never be rushed to accommodate particular state interests. That approach, we know Mr. President, would run counter to the fundamental ethos of the Convention.

In this regard, I wish to recognise the important work of the Authority and the Secretariat over the years, in boosting public awareness, filling the gaps in existing scientific knowledge and supporting developing states through capacity development and technology transfer. This will further enable our full and effective participation in marine scientific research and our informed deep-sea decision-making.

While we already have much to be proud of in this first generation, as we look to the next 40 years, we urge the Authority to more fully align its work with delivering the United Nations Sustainable Development Agenda, SDG 14 - life below water, as well as the objectives of the United Nations Decade of Ocean Science for Sustainable Development, 2021-2030.

These important links must continue to be made given the integral role that our ocean plays in our global existence, in combating climate change and in our collective efforts to achieve sustainable development and to leave no one behind.

I thank you.