

Intervention of Ambassador Gerardo Lozano, in representation of GRULAC, during the Special Session in the framework of the 20th Anniversary of the International Seabed Authority

Mr. President,

- On behalf of the Latin America and Caribbean Group (GRULAC), I wish to express our deepest appreciation for this special session, which gives us the opportunity to reflect and honour the great legacy of those who have participated in the creation of the International Seabed Authority as a relevant institution to guarantee respect for international law and to collaborate in the search of the delicate balance between the preservation of the common heritage of the Seabed and the necessity of the development of the member states.
- The institutional seal offered by the UN Convention of the Law of the Sea, the basic and essential judicial instrument for all the activities of the oceans, and whose 30th anniversary we celebrated two years ago, is part of an integral concept of the oceans. Therefore, the fact that we are celebrating the 20th anniversary of the Authority should stir satisfaction among the membership, as a sign of the health of the judicial regime of the oceans as well as its efficiency.
- We must recall on this date that the mandate of the Authority is intimately linked to the origin of the Convention. In fact, the question of resources of the seabed and subsoil beyond the limits of national jurisdiction was the trigger for the meeting at the Third Conference of the United Nations on the Law of the Sea and one of the aims of the Convention was the development of "the principles embodied in resolution 2749 (XXV) of 17 December 1970 in which the General Assembly of the United Nations solemnly declared, inter alia, that the area of the seabed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction, as well as its resources, are the common heritage of mankind, the exploration and exploitation of which shall be carried out for the benefit of mankind as a whole".
- Created in 1982, with the approval of the Convention and its establishment through the 1994 Agreement, related to the implementation of Part XI of the Convention, the Authority has consolidated and convinced the world of its potential and benefits offered by this platform for the conciliation of the positions of its member states and of the complexity that the collective force to regulate the exploitation of the resources of the seabed outside of national jurisdiction represents.
- With regards to the provision of article 156, paragraph 2, of the UN Convention on the Law of the Sea, all States that have ratified this are ipso facto members of the Authority. As a result, 20 years after its establishment, we also celebrate that 166 States are part of this institution, making it a multilateral organization that effectively represents a very significant portion of the States globally and consequently has a high legitimacy to act in a zone that is beyond the national jurisdiction of the States, exercising there the attributes assigned to it.
- The countries members of GRULAC wish to express also satisfaction for the continued growth in the number of permanent representations to the Authority, most of which belong to Latin-American and Caribbean countries. We celebrate, in the same way, the important and active role that

Jamaica has played in the continuity and consolidation of the Authority, as well as the excellent hospitality that the people of this beautiful country has offered permanently to the delegations that meet in Kingston year after year.

- It is thus most becoming that on this occasion we should pay a tribute to the people who have contributed to this process. Without a doubt, we cannot forget to mention the important role played by Mr. Satya N. Nandan as first Secretary General, as well as Mr. Nii Allotey Odunton, current Secretary General. Their excellent work leading this organization has impacted your growth and development.
- Last Friday we took the opportunity to honour the memory and achievements of Judge Lennox Fitzroy Ballah and we also have the great privilege of working with Ambassador Tommy Koh, who presided over the Third United Nations Conference on the Law of the Sea. I could nominate many others in this event whose work should be praised, but the truth remains that, if we were to name all those who have helped make the Authority a reality, a whole session might not suffice.

Mr. President,

- It is necessary to preserve the historical memory of the creation of the Authority and of its accomplishments in its 2 decades of life and this occasion offers the perfect opportunity to do so. The Latin American and Caribbean countries are proud of having performed a decisive role during this process and on this occasion we wish to reiterate our commitment to contribute to the strengthening of its mandate, especially in the areas of science and technology training and of a greater knowledge of the deep ocean.
- This 20th Anniversary presents us with a momentous opportunity to reflect on how much progress the International Seabed Authority has achieved towards giving concrete meaning to the concept of the Area as the common heritage of mankind. Evidence of this is the development and consolidation of the exploration codes as formidable achievements, achievements that were the forerunners of a far greater challenge - namely the drafting of an exploitation code that will pave the way for the commercial use of the Area.
- It's vital to remember, notwithstanding, that the exploitation of the resources that make up the common heritage of our peoples, requires foresights and a clear component of sustainability, as such, our countries reiterate their firm conviction on the importance of any programme or project of exploration and exploitation of the resources of the seabed to ensure protection and conservation of the environment.

Mr. President

- For Latin America and the Caribbean, the International Seabed Authority represents a niche of opportunity to achieve economic development, based on the governing principles of the UN Convention of the Law of the Sea, in particular the common heritage of humanity and the use of

the Pacific oceans through cooperation. As such, our countries concur on the pertinence of the continuity of the Authority as the most adequate institution to organize and control the activities developed in the Zone and in the administration of the resources, in an instant characterized for being closer to the beginning of the activities of exploitation of resources of the seabed.

- It is precisely this imminence, possibly one of the main challenges that we have before us, based on the notion that it is necessary to facilitate the activities of exploitation in favour of the development of our countries and to assure ourselves at the same time that said activities have a rational character and promote the protection of the marine environment and the conservation of the oceans for the benefit of future generations.
- In a time in which one is able to discern a growing interest in the resources of the Zone, as one deduces the increase in the request for exploration of mineral contracts, and in the face of new challenges, such as the short term commencement of its exploitation, with the consequent need to regulate and legislate the processes of great complexity, we should always bear in mind the fundamental principles that should guide all the activities that develop the Zone, principally that this and its resources are common heritage of humanity.
- We believe that a better way to acknowledge the contribution of those who have participated in this effort is to reaffirm our readiness and commitment to address the new challenges that lie ahead of us. We need to develop mechanisms to assess and address the environmental impact of mining operations; we must agree on the financial arrangements regarding the benefits derived from exploitation; it is equally important to ensure that the needs of developing countries are catered for in an equitable manner; the challenges are many, the resources are limited. However, the pioneers who helped to establish the Authority are giants on whose shoulders we can stand. Their contribution and selfless commitment will provide us with the inspiration we need to make headway and make the next 20 years of the Authority as remarkable as the first 20.
- As of this moment, the Authority initiates its third decade of existence with the certainty that our countries have the capacity to execute in a clear way the mandate that we have granted it. At the time that this organization has fulfilled with creativity and efficiency its responsibilities, important challenges are present; as the Latin American and Caribbean Group (GRULAC) had highlighted on the occasion of the 10th Anniversary of the Authority in 2004, the Authority ought to rise and be attentive to the modern concerning the ocean, in benefit of the adequate satisfaction of the needs of the States.
- The countries that comprise the Latin American and Caribbean Group, are convinced that the Authority will continue occupying a transcendental place in the development of the international law of the sea, the knowledge of the oceans and in favour of our efforts that allow our societies to reach major levels of development.

Thank you very much.

