

**STATEMENT BY H.E. Rev. Dr. IVA GLOUDON,
PERMANENT REPRESENTATIVE OF THE REPUBLIC OF TRINIDAD AND TOBAGO TO THE
INTERNATIONAL SEABED AUTHORITY
AT THE SPECIAL SESSION OF THE INTERNATIONAL SEABED AUTHORITY - TWENTIETH
ANNIVERSARY OF THE ESTABLISHMENT OF THE AUTHORITY**

Mr. President

Secretary-General Odunton

The Most Honourable Portia Simpson-Miller, Prime Minister of Jamaica,

Honourable Ministers,

Excellencies

Ladies and gentlemen

Two decades ago, the international community unfolded a new chapter for the rule of law in our oceans and seas with the establishment of the International Seabed Authority (“the Authority”). The creation of this institution in keeping with the provisions of Part XI of the 1982 United Nations Convention on the Law of the Sea (“the Convention”), and the 1994 Agreement (“the Agreement”), has made it possible for all current and future members, as States Parties to the Convention and the Agreement, to benefit from prospecting, exploration and exploitation of the mineral resources in the Area beyond national jurisdiction.

Mr. President

As we salute all those pioneers who advocated for the modern law of the sea as codified under the Convention, some of whom are present with us today, Trinidad and Tobago also pays homage to the late Arvid Pardo, former Ambassador of Malta to the United Nations, who, in an address to the United Nations General Assembly in 1967, proposed that the seabed and ocean floor beyond national jurisdiction be considered as the common heritage of mankind. These

resources together with the Area, are the common heritage of mankind as reflected in the Convention, and are also widely accepted as having such status under customary international law.

At the same time, we also recognize the involvement of those individuals from within CARICOM who also made seminal contributions to the development of the law of the sea including the late Edward Laing of Belize, Kenneth Rattray of Jamaica, Lennox Ballah of Trinidad and Tobago, a former Judge of the International Tribunal for the Law of the Sea (ITLOS) and first President of the Council of the Authority, as well as Judge Dolliver Nelson of Grenada, who is currently serving his final term as a Judge of ITLOS.

Trinidad and Tobago, Mr. President, acknowledges the achievements of the Authority over the past twenty years as the organization through which States Parties organize, control and administer activities in the Area. We have witnessed the tremendous strides made by the Authority over the years to discharge this tremendous mandate to ensure that activities in the Area are carried out for the benefit of mankind as a whole. Trinidad and Tobago is pleased that after twenty years, the Authority is not only fully operational, but has concluded legal codes for prospecting and exploration for polymetallic nodules, polymetallic sulphides and ferromanganese cobalt crusts.

These achievements and others Mr. President have been possible due to the leadership provided by former Secretary-General Satya Nandan and his successor Nii Allotey Odunton, as well as the spirit of compromise displayed by members of the Assembly and the Council. This has been manifested in the decision-making process which led to the adoption of the mining codes and other important decisions made by the Authority over the period. It is our hope that this spirit of compromise and cooperation would continue to characterize the work of the Authority in the future.

Mr. President,

Despite the acknowledged success of the Authority, it must commence the work required to ensure that it continues to meet the demands of all States Parties and at the same time, make sure that the resources within its mandate are utilized in a sustainable manner. The Convention and the Agreement provide for the sustainable use of the mineral resources while persevering and protecting the marine environment. Consequently, as the Authority in the next phase, moves towards the elaboration of a legal code for the exploitation of deep seabed minerals, Members must require that these codes contain very robust provisions to safeguard the marine environment from anthropogenic activities. In this regard, the Authority must consider developing and approving environmental management plans in other international seabed area zones, in particular where there are currently exploration contracts, in addition to those that already exist.

States Parties in the ensuing period should also contemplate a role for the Authority as the governing body to assist them with the implementation of the provisions of the future implementing agreement currently being considered under the aegis of the United Nations General Assembly, relating to the conservation and sustainable use of marine biodiversity beyond areas of national jurisdiction. It would not be difficult for the Authority to assume such a role given the fact that the Authority has shown its ability to protect the marine environment through provisions in existing legal codes and contractual arrangements with a number of Member States for prospecting and exploration of deep seabed minerals. The Authority has in place, an administrative structure which could be adapted to administer biodiversity beyond national jurisdiction, which like deep seabed minerals, should be conserved and sustainably used in keeping with the principle of the common heritage of mankind.

At the same time, the Authority as it enters its next era, should as a matter of priority, mandate the Legal and Technical Commission to begin elaboration of policies to give effect to the provisions of Article 82 of the Convention which in relevant part, requires States Parties to make payments or contributions in kind in respect of the exploitation of the non-living

resources of the continental shelf beyond 200 nautical miles from which the breadth of the territorial sea is measured, so that the Authority could distribute these payments or contributions based on an equitable sharing criteria. Trinidad and Tobago is of the view that this dormant provision of the Convention must be implemented as a number of States have already received recommendations under Article 76 of the Convention from the Commission on the Limits of the Continental Shelf related to the establishment of the outer limits of their continental shelf.

Mr. President

The principle of equitable geographical distribution of major UN bodies or those established by treaties has not been observed in the location of these entities. Consequently, Trinidad and Tobago recognizes the efforts of the Government and people of Jamaica in having the Headquarters of the Authority, situated here in Kingston. We commend our sister CARICOM State, for its contributions over the past two decades, in providing and maintaining the site of the Headquarters consistent with its obligations under the Convention and the Headquarters Agreement with the Authority.

In closing Mr. President, Trinidad and Tobago, wishes to reiterate its commitment to faithfully discharge its obligations under the Convention and the Agreement to assist the Authority in discharging its mandate on behalf of the international community.

Thank you.