

ISBA. 27TH SESSION. ASSEMBLY. ITEM 8 OF THE AGENDA AND
ITEM COMMEMORATION OF THE 40TH ANNIVERSARY OF THE
ADOPTION AND OPENING FOR SIGNATURE OF THE CONVENTION

Mr. President,

Distinguished delegates,

On behalf of the Brazilian Delegation, I would like to congratulate you for your election as acting President of Assembly of the 27TH Session of the ISA as well as the new members of the bureau and convey our sincere wishes of success in your and their endeavors.

Allow me to associate to the tribute to the memory of the late Niil Allotey Odunton.

Allow me too to express our deep appreciation for the work done by Secretariat, in particular to the Secretary-General, Mr. Michael Lodge, as well as the whole staff for their hard work undertaken for the current session.

Our deepest recognition to the Jamaica Government for the hospitality and for providing all the support to make this meeting possible despite the challenging circumstances. Congratulations to Jamaica for the “Emancipation day” and for its 60th anniversary of Independence!

Our most sincere gratitude to the President of the Council for guiding us during this 27th session; to The LTC for their extraordinary contribution in such an array of substantive and intricate subjects; to The Finance Committee, that provided us with extremely relevant documents to help member states make well informed financial decisions, especially when the ISA evolves towards a regulatory, administrative, and environmental agency. Our sincere thanks also to the working groups for their work and contribution.

Mr. President,

As we celebrate the 40th anniversary of the UNCLOS, allow me to make a few general remarks.

The ocean is confronting mounting challenges through increasing demand for metals, including those required by new technologies.

Likewise, there is a massive interest in exploiting the marine biodiversity to supply food and new medicines.

All these activities will have a dramatic impact on the marine ecosystems for generations.

To confront these challenges, we, fortunately, have a compass to guide us and inspire us. The United Nations Convention on the Law of the Sea is the most comprehensive set of rules and the most relevant source of international law on the ocean.

While the UNCLOS contains a comprehensive set of norms and embodies principles that can be the fundamental pillars for new developments of the law of the Sea, it also contains built-in

flexibilities that can respond to the new challenges of a world in permanent “change mode”.

In this context, is decisive the role of the ISA in the protection of the marine environment and the sustainable use of the seabed mining activities. In performing its role since its inception, ISA has, consequently, credit for what has already been done, and many reasons to celebrate, although a long road remains to be travelled.

Mr. President,

Through its mandate and voluntary commitments, ISA is instrumental:

- a) in strengthening the rule of law in the ocean governance;
- b) In ensuring that deep-sea mineral resources are used and developed in a sustainable manner in the benefit of mankind;
- c) in preventing environmental harm through measures designed to protect and preserve the marine ecosystems, as a matter of priority; and

d) in developing programs of capacity-building and transfer of maritime technology, especially in developing countries.

Indeed, the ISA must continue to be committed to contribute to address the asymmetries in knowledge and capacity building, including through innovative financial solutions. I commend the “ISA Partnership Fund”, as a revised model of the Endowment Fund for Marine Scientific Research in the Area and as a new multi-donor trust fund, to support training and technical assistance activities and to promote marine scientific research.

The ISA also should continue to advance women’s empowerment and leadership in deep-sea research, international law and other projects that promote women’s capacity in line with its Strategic Plan and High Level Action Plan 2019/2023 as an integral part of its voluntary commitment to support the SDG 14 of the 2030 Agenda.

We also encourage the ISA to continue strengthening collaboration and coordination among the different stakeholders,

including the academic communities and the civil society, to incentivize, promote and develop marine science, by exploring existing synergies and mobilizing adequate resources based on priorities, which should be kept under constant assessment and review.

Mr. President,

In light of a prospective mining exploitation in the Area, and due to the urgent need to understand the complexity and inherent difficulty to ISA fully discharge of its mandate, in particular the need for a better understanding of the cumulative impact of human activity in the ocean, the ISA is encouraged to pursue, as outlined in its Strategic Plan, full transparency and timely and cost-effective information about its activities. Contributing to increased public knowledge and understanding of the regulatory framework and its impacts and implications, as well as promoting deep-sea literacy are fundamental steps towards strengthening the ISA's role in the ocean global governance.

It is our view that a robust “code of conduct” must be conceived and put in place before any industrial activity is approved in the Area. Similarly, plans of work for industrial activity in the Area shall not be approved before the whole legal framework contained the Regulations, Standards and Guidelines, is elaborated and adopted.

For this reason, the current efforts to design a legal framework for the seabed mining exploitation can benefit from and must take into consideration the progress in the discussions in other fora that are, in a way or another, inter-related with the mandates of the ISA.

It means that we, at the ISA, need to ensure coherence and consistency between our own mission and the evolution of the international law, as it is the case, for example, of the BBNJ, which is working on an international convention on the conservation and

sustainable use of the marine biological biodiversity of areas beyond the national jurisdiction.

The current discussions on the Draft Regulations on Exploitation of Mineral Resources in the Area have already incorporated (although they still remain in brackets) provisions that address some of the concerns raised on that forum.

By the same token, the recent “2022 UN Ocean Conference” emphasized the need to improve the health, productivity, sustainable use and resilience of the ocean and its ecosystems. The Conference called for science-based innovative solutions to start a new chapter of global action. Despite the declaratory nature and non-legally binding feature of the document adopted at the end of the Conference, it carries a moral weight and can be, thus, a source of reflection and inspiration.

Another example of the relevance of environmental issues as an integral part of the ocean governance, is the “WTO Agreement on Fisheries Subsidies” adopted at the 12th Ministerial Conference on June 17th, this year. It marks a major step to promote ocean sustainability and is a decisive contribution to achieve the first SDG.

In conclusion, Mr. President,

As we celebrate the 40th anniversary of the UNCLOS, let us not only take stock of the progress and hurdles confronted by the Authority along its journey, but also stress and reinforce our commitments to ensure the use and sustainable development of mineral resources in the Area and the protection and preservation of the Marine environment in the benefit of mankind as whole. This is a considerable challenge but equally a great opportunity for the ISA. As the Authority discharges from its institutional mandate, as provided by the Convention, may it be a reference in

excellence – excellence in performance and excellence in
accountability.

Thank you