

Assembly Agenda Item 9: Annual Report of the Secretary General, The Ocean Foundation Statement

Thank you Mr. President,

And thank you to the people and the government of Jamaica for their hospitality, which is felt even from afar.

As it's the first time we are taking the floor at this session - or ever at the International Seabed Authority, we congratulate the Acting President and the Bureau. Thank you to Canada for speaking in favor of The Ocean Foundation's observer application, and to you all for welcoming us. We would also like to congratulate Dr. McQuaid.

Dear excellencies, delegates and fellow observers,

The Ocean Foundation is a community foundation whose mission is to support, strengthen, and promote those organizations dedicated to reversing the trend of destruction of ocean environments around the world. We are extremely honored to be part of this important conversation, and hope to provide insight regarding best practices for financial regulations and disclosure, permitting and environmental documents, monitoring and compliance, capacity building and equitable stakeholder engagement, and the consideration of and respect for underwater cultural heritage.

We express our thanks to the Secretary General, and the entire Secretariat for your annual report.

We align ourselves with comments by the Observers that spoke yesterday evening and this morning and will echo many of the same themes.

First, regarding Annex II, Status of Implementation we will speak to Strategic Direction 1: realize the role of the Authority in a global context. The Ocean Foundation would like to encourage further cooperation and participation by the Authority in the global environmental regime, in line with a strong and pervasive recognition that the interconnectedness of our natural world must be reflected in our governance processes in order for humans to succeed in restoring and safeguarding what some call the "triple nexus" of ocean, climate, and biodiversity.

We encourage the Secretariat to further realize the Authority's global role as the steward of the common heritage of humankind through coordination with other global bodies and processes in order to cast a wide net for stakeholders who may have a strong desire to engage with, and particular knowledge to contribute to, the ongoing development of regulations, including as Observers. This would support Strategic Direction 1 as well as 8, regarding Organizational Performance, and 9, regarding Transparency. In line with its stated support of the SDGs, the

Secretariat could be guided by the United Nations' document titled "Stakeholder Engagement and the 2030 Agenda: A Practical Guide".

To be clear, The Ocean Foundation encourages the Secretariat to proactively seek to engage diverse stakeholders as Observers. While interest in the fate of the seabed in the Area has never been higher, many may not know all current opportunities for engagement. Specifically, we echo Earthwork's call for a global youth consultation. There are many fora in which to realize this aspect of the Authority's role on the global stage. The UN High-Level Political Forum on Sustainable Development, the United Nations Environmental Program Finance Initiative, and the UNESCO 2001 Convention on the Protection of the Underwater Cultural Heritage are but examples. (Relatedly, The Ocean Foundation believes that protecting our underwater cultural heritage - both tangible and intangible - can and should be at the forefront of ongoing negotiations here in Kingston and thank all of those who have supported consideration thereof.)

On paragraphs 47 and 48 of the Annual report, regarding the Secretary General's recent formal statements on UNCLOS, The Ocean Foundation thanks the Secretary General for recognizing that "we are becoming more and more reliant on the ocean, particularly developing States whose rights to access ocean resources should be respected and even strengthened." We support the acknowledgement by Costa Rica and others in recent weeks that the ocean's resources, including those of the Area, are vast, diverse, and intergenerational and would like the Authority and Member States to consider the Secretary General's statements on the access rights of developing States in that context. To that end, we reiterate our support for further engagement by the Secretariat with other aspects of the international global community, especially those institutions and groups with focus on sustainable finance, equity and intergenerational human rights.

Further, we agree with the Secretary General's recognition of the ecological unity of the ocean and the need, now more than ever, to apply the precautionary approach and his insistence on consistency throughout the UN system. For example, echoing the Deep Sea Conservation Coalition, we stress that the UN General Assembly Resolution [76/75](#) just last week recognised the right to a clean, healthy and sustainable environment as a human right, noting that this right is related to other rights and existing international law. The work of the Authority does not exist in a vacuum, and must - like the work undertaken under all multilateral agreements, consistently across the UN system - be in furtherance of this right.

Unlike the Secretary General, we are not concerned that other parts of the UN system may undermine the Convention, but - instead - The Ocean Foundation believes that the current global impetus to break down silos and to see global governance as necessarily interconnected is a rising tide that will lift all boats. In other words, engagement with and contextualization within the global environmental regime will strengthen UNCLOS. We agree with the Secretary General's acknowledgement that UNCLOS is dynamic, flexible, and modern. Consequently, we believe that Member States will be able to honor and respect the Convention while acting with concern and respect for developing nations, Indigenous communities, future generations, biodiversity, and ecosystem services - all while relying on the best available science. The Ocean

Foundation strongly supports the calls for a moratorium on deep sea mining. In this session, we support Chile's proposal, and a vote thereon if there is not consensus.

Thank you kindly for your time.