



# PHILIPPINES

## **DRAFT STATEMENT**

### **Agenda Item 9: Report of the Secretary-General**

Permanent Mission of the Philippines to the United Nations New York  
26th Session of the International Seabed Authority (Assembly)  
13-15 December 2021  
Kingston, Jamaica

Thank you, Mr. President.

We congratulate you on your election as the President of the Assembly of the 26th Session of the International Seabed Authority. The Philippines assures you of our full support. We also wish to congratulate Secretary General Michael Lodge for his re-election. We thank the Secretary General and his team for the hard work in ensuring the resumption of the Council and the Assembly meetings this year and for the flexibility in accommodating the hybrid format, in light of COVID-19-related developments. We thank the government of Jamaica for hosting the meetings amidst challenging circumstances.

As we commemorate the 40th Anniversary of the United Nations Convention on the Law of the Sea (UNCLOS) next year, the Philippines reaffirms the normative and operational importance of the UNCLOS in the work of the International Seabed Authority (Authority). As rising populations exert pressure on terrestrial mineral deposits, the Authority's role in developing the regulatory regime for the exploitation of deep seabed minerals becomes even more relevant if the benefits are to be shared by "mankind as a whole" in a sustainable manner.

Deep seabed minerals' contribution to sustainable development is premised on the sustainable management of the Area, the due consideration of environmental and social impacts of its exploitation, and the needs of all stakeholders, particularly developing countries.

We thank the Secretary General for the Annual Report (ISBA/26/A/2) which he earlier introduced with supplementary information. The new format provides, at a glance, *inter alia*, the status of the implementation of the strategic plan of the Authority, particularly, on the assessment of performance indicators, categorized under relevant cross-cutting strategic directives. The Philippines wishes to share the following views on the Report:

First, on *realizing the role of the Authority in the global context*, we appreciate the programmes and initiatives overseen by the Authority that contribute to the achievement of relevant goals of the 2030 Agenda for Sustainable Development. The separate complementary report on “Achieving the sustainable use of deep-sea minerals for the benefit of humankind” contains information that could assist states in the careful consideration of the inclusion of deep seabed mining in their national development plans.

The number of member States of the Authority that have deposited charts or lists of geographical coordinates of points that establish the limits of national jurisdictions, including the delimitation of the continental shelf extending beyond 200 nautical miles from the baselines of the territorial sea with the Secretary-General, has not increased. We urge the Authority to prioritize this issue and encourage relevant states to comply with their obligations under UNCLOS.

Second, on *strengthening the regulatory framework for activities in the Area*, credit is due to the Authority, particularly the Legal and Technical Commission, for progress despite the challenges posed by the pandemic. We note the work on exploration regulations and recommendations for the guidance of contractors and sponsoring States achieved so far. The appointment of working group facilitators could keep us on track of the Roadmap. We recognize the Authority’s commitment to transparency through its outreach work to raise awareness among stakeholders and actual initiatives to conduct consultations and obtain inputs. These inputs should ideally be incorporated into the documents and made available to members of the Authority ahead of relevant meetings. We look forward to receiving the updated draft regulations with comments.

We urge the Authority to further strengthen measures to make available to the public relevant information in contracts and contractors’ annual reports, consistent with relevant laws, including the environmental impact assessments.

Meanwhile, some sponsoring States have enacted deep seabed related laws that govern and administer contractors' activities in the Area. Interstate cooperation in the development of such legal frameworks, facilitated by the Authority, could be of value. We hope that technical and targeted workshops, including virtual ones, could resume to support member States in the overall implementation of the legal regime governing deep seabed activities.

Third, on *the protection of the marine environment*, we welcome the development, implementation and review of rules, regulations and procedures based on the best available science, the precautionary approach and best environmental practices for the environmentally responsible management of activities in the Area. We appreciate the focus on the development of regional environmental management plans (REMPs). We look forward to cooperation on marine scientific research for the effective protection of the marine environment and to the implementation of the marine scientific research action plan in support of the United Nations Decade of Ocean Science for Sustainable Development.

We recognize the Secretariat's participation in the sessions of the intergovernmental conference on an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ). Efforts to ensure that the outcome of the BBNJ process is consistent with UNCLOS should be sustained. The Philippines consistently upholds the principle of the common heritage of mankind to guide the new legal regime for BBNJ.

Fourth, on *ensuring the fully integrated participation by developing States* in the work of the Authority, the Philippines is of the view that this is inextricably intertwined with building capacities of developing states. Although the hybrid modality can help increase participation in Assembly and Council meetings, it has its limits. Meanwhile, ensuring resource support for the participation of members of the Finance Committee and the Legal and Technical Commission (LTC) from developing States in meetings should remain a priority. Contribution to the relevant voluntary trust funds is a concrete step, in this regard. On a related matter, we hope that consensus could be found on the matter of the size and composition of the LTC soon.

The Philippines looks forward to measures to ensure equitable sharing of financial and other economic benefits, including the adoption of a mechanism for providing for the equitable sharing of such benefits.

To conclude, the Philippines wishes to thank you, Mr. President, for deftly steering the Assembly during this Session. We thank Secretary General Lodge and his team for the vigor in charting a path for the Authority as it navigates the transition from exploration to exploitation, including through the Roadmap. We thank, as well, the Council for the efforts toward the adoption of the Roadmap and other decisions, under the able leadership of Rear Admiral Md. Khurshed Alam. The Philippines reaffirms its firm support to the Authority and its critical role under the UNCLOS, as it fulfills its mandate of organizing and controlling all mineral-resources-related activities in the Area for the benefit of mankind as a whole, while proceeding within the framework of sustainable development. END