



27th PERIOD OF SESSIONS OF THE ASSEMBLY OF THE INTERNATIONAL SEABED AUTHORITY. PART II

Item 9. Annual Report of the Secretary General

STATEMENT BY THE DELEGATION OF THE KINGDOM OF SPAIN.

Permanent Representative Diego Bermejo Romero de Terreros

Mr. President,

As it is the first time that I am taking the floor, allow me to express my congratulations on your election as President of the Assembly for the 27th period of sessions.

Spain agrees with the Declarations made yesterday by a number of delegations on the 40th Anniversary of the United Nations Convention on the Law of the Sea. This Convention is considered the "Constitution of the Oceans" and represents the result of an effort of codification and progressive development of international law that has no precedent and has not been repeated up to now.

We also join in the celebrations that are taking place on the occasion of the 60th anniversary of the Declaration of Independence of Jamaica, a country that welcomes us every year, and on this occasion, has had to make an exceptional effort to ensure the continuation of the activities of the Authority.

Mr. Secretary General,

We take note of your **anual report** and we appreciate the very careful publication that accompanies it and which is entitled "*Ensuring the sustainable management and administration of the seabed and its resources for the benefit of humanity*".

We consider as very important the disclosure of the Authority's commitments to the timely and effective achievement of the objectives and goals of the 2030 Agenda through the application of the economic, social and environmental mandates assigned to it by the Convention and the 1994 Agreement. We encourage the continuation of this task.

In light of this, we would like to thank, once again, the invaluable work of the Secretariat staff who, in this stage of transition and compliance with the 2019-2023 Strategic Plan, have had their workload considerably increased.



We support the budget for the 2023-2024 financial year, and we reiterate what was already mentioned in the Council: that we recognize the effort to guarantee that the Authority can fulfill its functions in an evolutionary manner as established in the 1994 Agreement.

With respect to the advances made in the **draft exploitation regulations**, I would like to thank the efforts of the facilitators of the Working Groups, the members and President of the Legal and Technical Commission, as well as the work carried out by the Special Representative for the Company. Together with the input from Member States and stakeholders, significant progress has been made during the last session of the Council, which will continue between sessions and during the third part of the 27th session, to fulfill its mandate to adopt the draft regulations in accordance with that which is stipulated in the corresponding sections of paragraph 15 of section 1 of the Annex to the 1994 Agreement.

In this regard, I would like to repeat in this plenary body the main considerations outlined last week in the **Working Group on environmental aspects**:

FIRST. – The protection and preservation of the marine environment is a “priority” for many delegations here present, as well as for my delegation, and this has been expressed repeatedly in the main organs of the Authority: the Assembly and the Council. It is a reflection of the current environmental awareness that exists at a national and international level and which we cannot ignore.

SECOND. – At the United Nations Conference on the Oceans held in Lisbon, many voices were raised recalling the lack of scientific certainty about the environmental impact of deepsea mining and the need to protect biodiversity beyond national jurisdiction. We believe, therefore, that, as a precaution, the time has come for a pause that will serve to slow down the transition to the phase of exploitation of the mineral resources of the Area, without undermining exploration activities, which must continue. Explore to know and to better protect.

In fact, we consider that, in application of article 145 of the Convention, the "two-year clause" does not oblige us to move on to the exploitation phase if the environmental guarantees are not adequate and not only consider economic or market factors. The existence of a guaranteeing and adequate regulatory framework, which ensures the



minimization of impacts prior to the authorisation of exploitation contracts, is for the Spanish Delegation, a fundamental line of action that we will always ask to be respected.

In conclusion, we remain insistent on the importance of participation of the Authority, through its Secretary General, in the ***Intergovernmental Conference on an international legally binding instrument on the conservation and sustainable use of marine biological diversity in areas located outside national jurisdiction***. The interaction between the BBNJ process and the operating regulations is evident. We agree with what was indicated in its report on the necessary coherence between the Agreement that will be reached and the Convention and the 1994 Agreement. We encourage you to continue participating actively in the negotiations.

Thank you Mr. President.