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STATEMENT BY THE GROUP OF LATIN AMERICAN AND CARIBBEAN STATES

Presented by Mr. Fernando Pardo Huerta, Permanent Representative
of Chile to the International Seabed Authority

1. The Group of Latin American and Caribbean States has asked me to make this statement in order to place on record, among other matters to which I shall refer later, its satisfaction at the constructive atmosphere in which the debates have been taking place under the excellent leadership of the President of the Authority, all of which we fully appreciate and welcome.
2. We have witnessed the President's sincere desire to arrive at the necessary consensus so that the language of an instrument as important as the mining code will reflect the general feeling of the States members of the Authority.
3. In this connection, we wish to express our full support for the manner in which the President has organized the Council work, thereby ensuring broad participation in the discussions under way.
4. However, since there will be a second reading of the draft code in this kind of informal meetings, we should very much appreciate it if, at the next session, the Secretariat could provide us with documents setting forth the different positions of delegations, once we have concluded our deliberations on individual articles.
5. To this end, we appeal to the Council to establish, in formal meeting, a procedure which, in response to our concerns, will ensure that the second reading is conducted with the transparency which we all desire.
6. We are confident that informal meetings will continue to be held in the future, until the

necessary consensus is achieved, before the draft code is formally submitted to the Council for consideration and approval in formal meeting.

7. There is a consensus on this in the Group of Latin American and Caribbean States and also on how we should be approaching the main items which we are discussing in this forum, such as the protection and preservation of the marine environment, training programmes, confidentiality and the necessary transparency and the powers of the Secretariat, the Authority and its competent organs, irrespective of the relative importance which each country of the region attaches to each of these items.

8. This is clear from the statements made by the various representatives of the Latin American and Caribbean States during the consideration of the draft mining code.

9. There is in fact total agreement on the provisions relating to the protection and preservation of the marine environment, one of the items which has aroused the greatest concern, particularly among coastal States situated close to areas where prospecting and exploration are taking place.

10. The marine and coastal environment of those States will be the most vulnerable one and the first one, potentially, to sustain damage in the event of an environmental disaster.

11. That is why we consider it of the utmost importance to continue organizing events such as the recent Seminar held in China, at which experts from various countries met to advise the Authority on the development of strategies for controlling the environmental impact that mining will have on the seabed.

12. The Group of Latin American and Caribbean States therefore believes that, at the very least, provision should be made in next years budget for the necessary resources to hold the second seminar envisaged on this vital issue.

13. The Group also reiterates its full support for the views expressed by many delegations and endorsed by the Group of 77 last March with regard to a seminar on confidentiality.

14. We therefore strongly recommend that, in accordance with the constructive proposal put forward at the time by the Russian Federation in the Legal and Technical Commission, provision should be made in the budget for convening by June 1999 at the latest, a seminar which will provide the Council and its subsidiary organs with the advice and expert views urgently needed to guide the discussions on this matter which, we hope, will take place before the end of the Authority's fifth session in the second half of the year.

15. There is also agreement in the Latin American and Caribbean Group concerning the need for access to the training programmes that are being offered to be based on equitable geographical distribution, so that more Latin American and Caribbean experts can participate in them than they have done so thus far.

16. As I mentioned at the outset, another matter of concern to the Latin American and

Caribbean group is the need for certain information which we consider essential to be divulged, in order to ensure the necessary transparency" Having such information will allow member States to protect their interests and rights and the Authority more effectively to implement the provisions of the mining code designed to prevent and prosecute wrongful acts and to protect and preserve the marine environment.

17. We are aware of the need to preserve the necessary confidentiality and to safeguard the legitimate interests of companies which will be investing large sums of money in the Area. However, that does not mean that we should sit back and do nothing. We must strike a balance between those interests and the need for the Authority effectively and efficiently to discharge its responsibilities under the Convention and the Implementing Agreement for administering and safeguarding the common heritage of humankind entrusted to it by the United Nations Convention on the Law of the Sea.

18. In addition to expressing these general ideas which very briefly sum up our present concerns, I should like to express appreciation for the hard work done by the Secretariat and the Secretary-General and to appeal, on behalf of the Latin American and Caribbean Group, for every effort to be made to arrive at the necessary consensus. You can be sure that we shall do our share to achieve this.

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