

**Statement by  
the Delegation of the Republic of Indonesia  
At the 25<sup>th</sup> Session of the International Seabed Authority**

**Kingston, Jamaica, 16 July 2019**

Madam President,

Mr. Secretary General,

Distinguished Delegates,

Ladies and Gentlemen,

Thank you, once again, Madam President, for the opportunity for me to speak on behalf of Indonesia. I would like to join the other delegates in commending the excellent work of the LTC in providing the substantive documents with respect to the discussion on the ISA Regulation on Exploitation.

Madam President,

I shall start my remarks by providing Indonesia's general overview of the draft.

Indonesia holds the view that the deliberation on the Regulation should also be driven by the need to strike the exact balance between economic development, environmental protection, and spirit of cooperation among nations in detailed manner by taking into account the voice and inputs of all relevant stakeholders.

Indonesia, as one of the largest producers of key minerals and as an archipelagic State whose jurisdictions lie across or adjacent to international seabed area of two oceans, holds a significant and strategic interests to activities in the Area.

Indonesia views the Regulation as a key instrument defining not only the state of Indonesian national economy and environment, but also the global economy and environment. It is therefore critical, that the Regulation, in its entirety, reflects the principle of Common

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Heritage of Mankind and be based on the provisions of the United Nations Convention on the Law of the Sea (UNCLOS) and the Agreement Relating to the Implementation of Part XI.

Madam President,

Indonesia believes that in order to achieve its objectives and provide equitable benefit to all mankind pursuant to the Convention and the Agreement, the Regulation should be guided, by, at least, these key elements and principles, as follow:

- a. The Area as the Common Heritage of Mankind whereby activities are solely aimed for the benefits of all mankind;
- b. Effective protection of the Marine Environment;
- c. Respect of the rights and legitimate interests of coastal State whose jurisdiction lies across/ adjacent to the exploitation site, especially regarding the threats of serious transboundary harms, this should be an integral part of the principles of the Regulation;
- d. Protection of developing countries from the adverse effects of exploitation in the Area toward their economies or on their exports' earning; and
- e. Expansion of opportunities and effective participation for activities in the Area consistent with Articles 144 and 148 of UNCLOS.

Indonesia will provide a detailed explanation on these principles in due course along with the specific comments on certain aspects of the draft Regulation. However, I wish to highlight Indonesia's specific comment on Regulation 4.

In order to fully reflect the Convention, Indonesia holds the view that the Heading of Regulation 4 should be restored to the original text, namely Rights of Coastal State.

Indonesia also notes that some phrase used in the text such as "reasonable opportunity" and "reasonable time" may generate ambiguity should the timeframe is not clearly defined in this regulation or further in the standard and guidelines,

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Indonesia also holds that in the event of the occurrence of visible pollution resulting in direct loss to economy and damage to marine environment of a coastal state, the regulation should provide a mechanism for which a coastal state can directly activate controlling and evaluation mechanism under ISA and request for inspection, no later than 24 hours, toward the activities carried out by contractor whose site adjacent to its jurisdiction.

Thank you.