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MAC Protocol
Committee of Governmental Experts
Second Session
Rome, 2 – 6 October 2017

UNIDROIT 2017
Study 72K – CGE2 – Doc. 8
Original: English
September 2017

COMMENTS

(Submitted by the Holy See)

1. The Holy See follows with interest the initiative to negotiate the *MAC Protocol* to the *Cape Town Convention in the context of UNIDROIT*. The conclusion of this exercise can further support global solidarity and allow the International Community to address with an additional instrument the great challenge posed by the goal of development of peoples and the specific commitment to the growth of rural communities.
2. A first concern is related to the correct classification of goods under the futur Protocol, so that it may be a benefit for small farmers in developing Countries. ¹ Indeed, as pointed out in the first session of the Committee, identifying the assets to be regulated would have a direct impact on the economic activity of small farmers who are at serious risk of being discriminated against unless they have the economic resources to purchase the necessary equipment under the MAC Protocol regulation. A proposal to be considered would be to encourage a correct definition of the concept of *high value*, because it appropriately identifies the purpose of the Protocol, so that such a regulatory instrument does not become a means of increasing inequalities.
3. Another aspect, then, concerns the type of agriculture that the MAC instrumentation could address. A proper definition of the terms “*mining, agriculture and construction*” would not only increase transparency on the type of activity to be carried out with such goods, but could also identify a type of agriculture, construction and mining activities capable of protecting the different ecosystems and biodiversity, as many times called for by Pope Francis in the Encyclical Letter *Laudato Si’*. ²
4. For the Holy See, this might be a way to prevent solidarity from being forgotten, as well as to reinforce the idea that everyone’s equal and sustainable participation in the development processes be given due consideration. In this way, it can also be encouraged by the elaboration of specific international rules that peoples in commercial and trade relations are not instruments but protagonists of their future. ³

¹ See Pope FRANCIS, Encyc. Letter *Laudato Si’*, para. 129; COMPENDIUM OF SOCIAL DOCTRINE OF THE CHURCH, para. 192.

² *Laudato Si’*, para. 32.

³ COMPENDIUM OF SOCIAL DOCTRINE OF THE CHURCH, para. 321.