

December 9, 2021

Earthworks intervention on Agenda Item 13: Regional Environment Management Plans

Establishing four new APEIs helpful but a regional environment management plan (REMP) needs to be more than just no-go areas. Belgium mentioned that adopting additional four APEIs would result in some 44% of the CCZ being protected. However, in reality, approximately 3/4s of each APEI consist of a buffer area – areas where no mining would be permitted to occur but where impacts from mining as a result of plume flows, for example, would be permitted. The actual area of the CCZ protected – the core areas (measuring 200 by 200 kilometers) within each APEI - would equal about 11 or 12% of the CCZ overall.

But that aside, let me take a step back. The process of developing REMPs thus far is backwards. Rather than discussing what percentage, how much or which areas will be protected from mining or mining impacts, the questions in our view that States must ask are as follows:

How much damage to the flora and fauna, biodiversity loss and ecosystem degradation will the ISA regulations allow or permit, if any, and why? For whose benefit?

Over what time frame would any loss be permitted by the ISA given that recovery of impacted species and ecosystems in the CCZ may take hundreds to thousands of years and, in the case of nodule obligate species, millions of years?¹

Currently there is far from sufficient knowledge of biodiversity, ecosystems, ecosystem services, connectivity etc. - the problem of the major gap in basic, baseline information mentioned by a number of previous speakers. But even with sufficient information, could meaningful limits be placed and enforced to be sure that any 'permissible' biodiversity loss agreed by the ISA is not exceeded?

What about cumulative impacts and stressors on deep sea species and ocean ecosystems already occurring or foreseen to occur as a result of climate change, pollution, plastics and other stressors?

Scientists have warned biodiversity loss would be inevitable, permanent on human timescales, and that deep sea biodiversity offsets "scientifically meaningless" if mining in the CCZ were permitted to occur.²

The Report by the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services issued in May 2019 warned that a million species are at risk of extinction, many within the next few decades.³

¹ "the nodules and nodule dependent fauna may take millions of years to recover, and even the partial recovery of the motile sediment-dwelling fauna may take hundreds to thousands of years." Kaiser, S., Smith, C.R. & Arbizu, P.M. Editorial: Biodiversity of the Clarion Clipperton Fracture Zone. *Mar Biodiv* 47, 259–264 (2017). <https://doi.org/10.1007/s12526-017-0733-0>

² Van Dover, C., Ardron, J., Escobar, E. et al. Biodiversity loss from deep-sea mining. *Nature Geoscience* volume 10, pages 464–465 (2017). <https://www.nature.com/articles/ngeo2983>

³ IPBES (2019): Summary for policymakers of the global assessment report on biodiversity and ecosystem services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services. <https://ipbes.net/global-assessment>

We would note over 80 Heads of State recently signed Leader's Pledge for Nature United to Reverse Biodiversity Loss by 2030 for Sustainable Development.⁴ This pledge reiterates important commitments made at the UN Conference on Sustainable Development (Rio+20) in 2012 by all heads of state and high-level representatives of their respective governments who committed to halt biodiversity loss as reflected in the outcome document of the conference - The Future We Want.

States through Sustainable Development Goal 14, Target 2 have committed to "sustainably manage and protect marine and coastal ecosystems to avoid significant adverse impacts, including by strengthening their resilience, and take action for their restoration in order to achieve healthy and productive oceans" by 2020.

Mining in the CCZ is likely to cause significant adverse impacts on marine ecosystems; weaken their resilience (e.g., to climate change impacts); and cause damage from which they may never recover.

So, we ask how can the international community of nations, the members of the ISA, justify large-scale biodiversity loss and ecosystem degradation in areas beyond national jurisdiction even if a REMP sets aside 30 or 40% of a bioregion as no-go areas but allows much of the rest of the area to be damaged or destroyed?

What is the benefit to humankind as a whole (the common heritage of mankind), as opposed to the benefit to individual companies and countries, that States through the ISA can point to, to justify breaking these important political commitments and pledges to halt and reverse biodiversity loss?

⁴ <https://www.leaderspledgefornature.org/>