

## **Day 1 morning Item 11 Intervention Deep Sea Conservation Coalition**

Thank you Mr President and congratulations on your election

As we did not have the opportunity to express this earlier, the Deep Sea Conservation Coalition joins other delegations in expressing our condolences on the sad passing of former Secretary-General Nii Odunton and expressing our solidarity with the numerous interventions condemning the invasion of Ukraine by Russia and those supporting implementation of the order of the International Court of Justice indicating provisional measures delivered on 16 March.

Regarding the organization of work, DSCC is alarmed at the rush to develop regulations, standards and guidelines driven by Nauru's invocation of the 2 year Rule. This invocation came in response to the merger and flotation of the parent company of Nauru Ocean Resources Inc (NORI), being The Metals Company. Its need to promise investors a rate of return through starting seabed mining in 2024, is the clear financial motive for invoking the two-year rule. We believe that the ISA should not dance to this tune.

This is in our submission the worst possible reason to develop regulations, and the worst possible way to develop them particularly when there is scientific information about environmental damage and biodiversity loss and so much scientific uncertainty about the effects of deep-sea mining.

Article 145 requires effective protection of the marine environment and currently that cannot be achieved, which is why we strongly advocate a moratorium on deep sea mining. We echo the comments made by Germany, also commented on by Costa Rica, that science is insufficient to move towards commercial mining. Nor is it sufficient to develop regulations which will effectively protect the marine environment.

Mr President, consultations with deep-sea mining stakeholders conducted for a very recent scientific paper by Amon et al published in Marine Policy entitled "Assessment of scientific gaps related to the effective environmental management of deep-seabed mining", found that most respondents (being 88%) concurred that deep-sea scientific knowledge is currently too sparse to minimize environmental risks and ensure the protection of the marine environment in the face of large-scale, deep-seabed mining. The most cited scientific gap was comprehensive environmental baseline information for the regions where deep-seabed mining may occur, both for the seafloor and water column within and outside contract areas, and understanding the impacts of deep-seabed mining was the second most raised critical scientific gap. The paper proposed a different type of road map to the one we discussed in December. This road map was one for closing key scientific gaps during coming years, during which time the ISA could promote the translation, dissemination, exchange and sharing of scientific data and deep-sea research outputs.

We emphasise that the regulations, standards and guidelines under proposal would cover all 3 types of mining - nodules, cobalt crusts and sulphides - yet almost all discussion is about nodule mining. This is another major concern.

Finally, turning to the proposed work program, we are very concerned that the informal working group on the protection and preservation of the marine environment focus only on parts IV and V and related annexes - this omits issues crucial to environmental protection including Draft Regulation 2, the fundamental principles, in Part I, Applications, review and consideration and approval of applications in Part 2, rights and obligations of contractors, term of contracts, environmental performance guarantee, other users of the marine environment, incidents and notifiable events, risk of incidents, preventing and responding to incidents, notifiable events, and insurance In Part 3 to name a few.

And looking at standards and guidelines, we believe these too are premature, since they directly rely and draw upon on the regulations which are far from complete or adequate.