



## Assembly

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### Twenty-sixth session

Kingston, 26–30 July 2021\*

Agenda item 6

**Consideration of requests for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly**

### **Request for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly by OceanCare**

#### **Note by the secretariat**

1. On 10 March 2021, OceanCare submitted an application to the Secretary-General of the International Seabed Authority, requesting observer status in the Assembly of the Authority, pursuant to rule 82, paragraph 1 (e), of the rules of procedure of the Assembly. The applicant submitted an application form, prepared in the format prescribed in enclosure 1 to the guidelines for observer status of non-governmental organizations with the International Seabed Authority adopted by the Assembly at its twenty-fifth session (ISBA/25/A/16, annex). The text of the email and the application form provided by the applicant are contained in annexes I and II, respectively to the present note.<sup>1</sup>

2. In accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly, non-governmental organizations with which the Secretary-General has entered into arrangements in accordance with article 169, paragraph 1, of the United Nations Convention on the Law of the Sea, and other non-governmental organizations invited by the Assembly that have demonstrated their interest in matters under consideration by the Assembly may participate as observers in the Assembly.

3. Paragraphs 5 and 6 of the same rule also provide that observers referred to in paragraph 1 (e) of the rule may sit at public meetings of the Assembly and, upon the invitation of the President and subject to approval by the Assembly, may make oral statements on questions within the scope of their activities, and that written statements submitted by observers referred to in paragraph 1 (e) of the rule within the scope of their activities that are relevant to the work of the Assembly should be made available by the secretariat in the quantities and in the languages in which the statements are submitted.

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\* New dates of the in-person meetings originally scheduled for July 2020.

<sup>1</sup> The annexes are being circulated in the language of submission only.



## Annex I

### **Email dated 10 March 2021 from the President and Founder of OceanCare to the Secretary-General of the International Seabed Authority**

In accordance with article 169 of the United Nations Convention on the Law of the Sea, rule 82, paragraph 1 (e), of the Rules of Procedure of the Assembly of the International Seabed Authority and the guidelines for observer status of non-governmental organizations with the International Seabed Authority, we hereby request observer status with the International Seabed Authority as a non-governmental organization. Enclosed please find our formal request in the prescribed format.

We are looking forward to becoming observer with the Authority and to contributing our expertise to the Authority's work on the effective protection of the marine environment from harmful effects that may arise from deep seabed-related activities. We remain at your disposal for any questions or additional information.

Sigrid Lüber  
OceanCare  
President and Founder

## Annex II

### Application for observer status

Format used: ISBA/25/A/16, annex (guidelines for observer status of non-governmental organizations with the International Seabed Authority), enclosure 1

#### A. Information about the organization

**1. Name of organization**

OceanCare

**2. Address of headquarters**

Gerbestrasse 6  
Post box 372  
CH-8820 Wädenswil  
Switzerland

**3. Addresses of all branches and/or regional headquarters**

See above.

**4. Telephone number**

+41 (0) 44 780 66 88

**5. Fax number**

+41 (0) 44 780 68 08

**6. Email address**

[info@oceancare.org](mailto:info@oceancare.org)

**7. Name, title and contact details of focal point**

Mr. Cyrill Martin, M.A. HSG, M.Sc., Lead Deep-Sea Mining Programme/Ocean Policy  
Expert  
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Mr. Nicolas Entrup, Co-Director International Relations  
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**8. Background information on the organization**

OceanCare is a Swiss non-profit organization. It was founded in 1989 and has a strong commitment to realistic and cooperative initiatives. The organization works at the national and international levels in the areas of marine pollution, environmental changes, deep-sea mining, fisheries, whaling, sealing, captivity of marine mammals and public education ([www.oceancare.org](http://www.oceancare.org)).

**9. Is the organization a member of, affiliated to or otherwise associated with another organization that has been granted observer status with the Authority?**

OceanCare is member of the Deep Sea Conservation Coalition (DSCC).

**10. Is the organization affiliated to consultants of the Authority, contractors with the Authority, entities in connection with the law of the sea, the offshore and deep-sea mining industry, research institutes or the mineral marketing and processing industry?**

No.

**11. Relationships with intergovernmental organizations**

OceanCare holds special consultative status with the Economic and Social Council of the United Nations (ECOSOC) and is a partner of the General Fisheries Commission for the Mediterranean (GFCM), the Convention on Migratory Species (CMS) and the United Nations Environment Programme (UNEP)/CMS Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS), as well as UNEP Mediterranean Action Plan. OceanCare is an accredited observer with the Convention on Biological Diversity (CBD). OceanCare has also been accredited with the United Nations Environment Assembly, which is the governing body of UNEP as part of the Scientific and Technological Community Major Group and is a part of the UNEP Global Partnership on Marine Litter.

**12. List of publications and/or other relevant documentation**

The OceanCare Commitment to the Sustainable Development Goals (SDGs): Supplementary Information to OceanCare's Quadrennial Report to ECOSOC, 2019: [https://www.oceancare.org/wp-content/uploads/2019/10/2019\\_Supplementary-Information-to-Quadrennial-Report-to-ECOSOC.pdf](https://www.oceancare.org/wp-content/uploads/2019/10/2019_Supplementary-Information-to-Quadrennial-Report-to-ECOSOC.pdf).

The OceanCare Commitment to Millennium Development Goal 7: Supplementary Information to OceanCare's Quadrennial Report to ECOSOC, 2015: [https://www.oceancare.org/wp-content/uploads/2016/07/Report\\_UN\\_Millennium-Development-Goal-7\\_EN\\_2015.pdf](https://www.oceancare.org/wp-content/uploads/2016/07/Report_UN_Millennium-Development-Goal-7_EN_2015.pdf).

**B. Interest in matters under consideration by the Assembly**

**13. Briefly outline how your organization intends to demonstrate its interest in matters under consideration by the Assembly, including by answering questions 14 to 17 and by providing any other relevant information related to the application for observer status.**

OceanCare is developing its Deep-Sea Mining (DSM) programme with a focus on underwater noise emissions from DSM activities and their impact on marine life. OceanCare has distinguished expertise in the area of anthropogenic underwater noise and provided various international fora with this expertise and policy work since 2002. We intend to bring our expertise into the International Seabed Authority's (ISA) work on environmental regulations and guidance regarding protection of the environment within the Mining Code.

**14. Briefly outline whether and how the purposes or activities of the organization relate to the work of the Authority.**

OceanCare has had a strong commitment to marine wildlife protection since 1989. Within our DSM programme, we focus on strengthening and broadening the knowledge basis of environmental impacts of DSM, particularly anthropogenic underwater noise, with a view to improving existing and supporting new regulations and guidance on environmental protection for DSM. We strongly advocate for the application of the precautionary principle and for a green blue economy.

**15. Briefly outline whether and how your organization intends to contribute to the work of the Authority, for example by providing specialized information, advice or expertise, or by identifying or helping to procure the services of experts or consultants.**

OceanCare intends to support the development of sound regulation and guidance of anthropogenic underwater noise emissions from DSM activities in order to minimize impacts on marine life. We intend to intensify discussions within ISA on anthropogenic underwater noise emissions from DSM activities and their impact on marine life and to provide scientific and policy input to the discussions. We intend to bring our expertise into the International Seabed Authority's (ISA) work on environmental regulations and guidance regarding protection of the environment within the Mining Code, particularly in the area of anthropogenic underwater noise.

**16. Briefly outline whether and how your organization has the expertise and the capacity to contribute, within its field of competence, to the work of the Authority, in particular in connection with the law of the sea, the protection of the marine environment, the offshore and deep-sea mining industry, technology, minerals processing and marketing, activities in the Area and marine scientific research in the Area.**

OceanCare has been active in marine environment protection policy work for over 30 years. We entered our expertise on anthropogenic underwater noise into various international fora and have assisted in developing respective regulations and guidance for almost two decades. We have a strong scientific expertise in the area of anthropogenic underwater noise and its impact on marine species, in particular through our Senior Ocean Noise Expert, Dr. Lindy Weilgart, of Dalhousie University. Moreover, we have sound legal background in the law of the sea through Mr. Cyrill Martin, M.A. in Law HSG.

**17. Briefly outline whether and how your organization intends to contribute to the capacity-building programmes and initiatives of the Authority (e.g., Secretary-General's award, voluntary commitments of the Authority).**

OceanCare intends to contribute to capacity-building within ISA by providing input to the issue of anthropogenic underwater noise and its impact on marine species upon invitation by the Assembly or other organs of ISA to all interested stakeholders.

*(Signed)* Sigrid **Lüber**  
President and Founder of  
OceanCare

*(Signed)* Cyrill **Martin**  
M.A. HSG in Law, Lead Deep-Sea  
Mining Programme/Ocean Policy Expert