

Statement by IUCN on Agenda Item 11 (Review of progress of the roadmap)

Council of the International Seabed Authority

4 November 2022

Thank you, Mr President,

As this is the first time IUCN, the International Union for Conservation of Nature, takes the floor, we would like to express our appreciation for your leadership.

Coming to the pressing matter at hand, the IUCN would like to reiterate its position that mining activities should not commence in the Area without a robust set of regulations ensuring effective protection of the marine environment. In light of significant knowledge gaps and a clear indication from science of large-scale potential environmental harm, a precautionary pause or a moratorium on deep seabed mining is the best way for the member states of the Authority to fulfill their responsibility under the Convention to act in the best interests of humankind as a whole. This includes the need to introduce significant institutional reforms at the Authority in order to make it fit for purpose to act on behalf of humankind as a whole.

In September 2021, Resolution 122 calling for a moratorium on deep seabed mining activities in the Area was adopted with overwhelming support at the IUCN World Conservation Congress in Marseille, France. In this respect, we commend Germany, Panama and New Zealand for joining Costa Rica, Chile, Spain, the Federated States of Micronesia and others that have all, in recent months or days, called for a moratorium or precautionary pause at the Council. Our delegation would warmly welcome others that are currently contemplating their national positions to rise to the occasion and join the ranks of the aforementioned delegations.

On this note, our delegation encourages member states of the Council to recognize that they are not bound to adopt the regulations by the so-called deadline of 9 July 2023, or to approve any applications submitted pursuant to the two-year rule provision in the absence of a strong and binding regulatory framework. Here, we support interventions that it is not just about progressing the regulations, but also other outstanding matters such as the financial terms for exploitation and equitable benefit sharing mechanism, among others. We are very encouraged by the many delegations that have voiced their views to this effect today. Your respective interventions send a strong message to the primary stakeholder of the Authority, which is humankind, on what should be the absolute priority of the Authority, namely, ensuring the effective protection of the marine environment. In our view, the Council should not yield to what now seems to us to be the minority view of those that wish to proceed with mining activities in the Area at this point in time, bearing in mind that conservation ambitions in areas beyond national jurisdiction are being discussed under the ongoing BBNJ negotiations.

Moreover, like other delegations, we strongly recommend that this conversation should also simultaneously take place at the Assembly, which is the supreme organ of the Authority, where all member states are represented. Our delegation is of the view that the implications of the two-year rule are so far-reaching they go to the core of the Authority's mandate. Indeed, the Council is answerable to the Assembly and all decisions of the Council shall seek to promote the interests of all the members of the Authority (as well as the interests of humankind as a whole).

In conclusion, we urge member states to carefully reflect on their respective positions and the potential consequences that such positions will have on decisions taken in the coming months. Rushing to meet the deadline and allowing exploitation to commence at this stage, with or without the regulations, would not be in the best interests of this institution or humanity as a whole. As always, our delegation stands ready to provide independent advice and support to all delegations on this matter.

Thank you very much, Mr President.