



**Republic of Nauru**

**Statement delivered by Her Excellency Margo Deiye, Permanent Representative of the Republic of Nauru to the International Seabed Authority (ISA)**

**Agenda Item 2 – Adoption of Agenda at the Assembly of the 27<sup>th</sup> session of the International Seabed Authority in Kingston, Jamaica  
Monday, 1<sup>st</sup> August 2022**

Mr. President,  
Good morning colleagues,

Thank you for giving me the floor.

On agenda item 2 the proposal of the Chile to include a new agenda item on the Discussion of the issues to the triggering of the two-year time under Rule 12.

Last year Nauru informed the Council in good faith of the intention of Nauru Ocean Resources Inc, to apply for a plan of work for exploitation and a request that the Council complete its work on and adopt the draft regulations on exploitation of mineral resources in the Area within two years. The main objective was not and has never been to allow a “rush” to seabed mining but to seek certainty on the regulatory framework and relevant requirements to be followed should an application for a plan of work for exploitation be submitted [see ISBA/26/C/38].

Moreover, this request simply reset the initial deadline that the Council had set for the completion of the negotiation of the draft exploitation regulations by July 2020.

Nauru has expressed its strong commitment to ensure all requirements needed are met before an application for a plan of work is submitted that ensures the effective protection of the marine environment as imposed by the legal regime set out in Part XI and to follow the precautionary approach under ISA rules, regulations and procedures. For the last 10 years as a Sponsoring State, significant effort has been made by NORI under its ISA exploration contract to collect the necessary environmental baseline data required with the view to consider potential exploitation as contemplated by UNCLOS. Indeed, NORI’s forthcoming collector test will also provide much needed data and information to support an application for a plan of work for exploitation.

Nauru believes that Chile’s intent, to include this new item on the Assembly agenda in this manner is at best surprising and will likely derail the significant progress made by the Council on the draft regulations during the 27<sup>th</sup> Session with consequential delays on the delivery of the roadmap set out in document ISBA/26/C/13/Add.1, Annex. While we are cognizant that there could come a time to discuss future outlook should the Council be deemed unable to complete

its work. We strongly believe the position Chile has taken, challenges the fundamental right of a member State and State party which will lead to unnecessary politicization and polarization of Nauru's exercise of our legal right under the treaty.

This is an important test for multilateralism and the legitimate rights of a small island and a developing State which is embedded in the Convention. Therefore, Nauru does not support its inclusion and calls on others for their support.

I thank you.