

## DSCC Article 154 Review intervention

[refer to the interventions from colleagues from WWF, Pew Charitable Trusts and Greenpeace International as well as IUCN... and States where helpful]

We welcome the opportunity to offer our views on the Article 154 Review which we see as a critically important exercise undertaken by the ISA. The importance of the deep-sea was underlined by the UN's Global Marine Assessment report issued last year. In Chapter 36F – Open ocean and deep-sea - the Assessment states that the deep sea realm constitutes the largest source of species and ecosystem diversity on earth, that deep sea ecosystems are crucial for global functioning, including half of atmospheric oxygen production, through remineralization of organic matter in the deep sea, which regenerates nutrients that help fuel the oceanic primary production, and, I quote, "There is strong evidence that the richness and diversity of organisms in the deep sea exceeds all other known biomes from the metazoan to the microbial realms and supports the diverse ecosystem processes and functions necessary for the Earth's natural systems to function." End quote

Mr. President, we appreciate the interim report and its recommendations. We also appreciated the report of the Review Committee presented by Ambassador Turk and were encouraged by the comprehensive and constructive responses of the Committee and those of many delegations, to the recommendations in the consultant's report.

On specific issues, in our view, the importance of transparency, and an effective structure, stakeholder strategy and capacity of the ISA to manage an ever expanding workload (as referred to by Myanmar) including to adopt a mining code that will ensure the protection and preserve the marine environment, is paramount in this effort.

We have seen in this Session of the ISA, as in previous Sessions, concrete indications of the need for greater transparency. On this, we would agree with a number of the recommendations of the report including the need to "making the work of LTC more transparent, limiting closed sessions to commercial in confidence matters only" (Recommendation 17); and Recommendations 46- 48 that "The Authority should develop a policy on transparency and conflicts of interest and should consider revising the Regulations to set standards for confidentiality"; "Non-confidential information should be shared widely and should be readily accessible" and that "Transparency in the LTC needs to be addressed with urgency, and consideration should be given to opening up the LTC meetings more often."

In this regard we note the thoughtful attention given to this issue by the LTC itself and its constructive proposal in regard to transparency in respect of the exploitation regulations as reflected in the zero draft, Part VI, about which we commented in Council on Monday.

In terms of structure, one of the biggest gaps we see is in relation to the capacity of the ISA to meet the challenges ahead in regard to the environmental aspects of the work of the Authority. Amongst the needs we see in terms of the future workload of the ISA is effective capacity to process and assess environmental information, in particular to ensure that robust environmental impact assessments and strategic environmental assessments are conducted transparently and are publically and independently reviewed, and that the findings of the reviews are incorporated in the plans of work, which are themselves transparently developed and assessed. Also crucial are the procedures to adopt and review

environment management plans and strategic environment management plans in a transparent manner; the capacity to monitor the environmental performance of contractors; and the capacity to respond in a timely manner to new scientific and environmental information as it arises, particularly in relation to the potential for serious harm to the marine environment.

To do all of this well and consistent with the obligations in the convention to protect and preserve the marine environment, a much more robust structure will be needed in our view. For this reason we have urged that ISA members give due consideration to establishing an environment committee, an inspectorate to independently monitor and report on environmental performance, and a compliance committee.

In addition, the sustainability and liability funds will need to be effectively managed, again in a transparent manner.

We look forward to participating in any further consultations in regard to the Article 154 review and in the debate and conclusion of the review at the next year's Session of the ISA.