

FSM statement on independent assessment of environmental plans

Thank you, Madame President.

My delegation welcomes the involvement of independent experts in the assessment of environmental plans. As many have noted, this is already countenanced by various provisions in UNCLOS and envisioned to supplement the views of the LTC and Council when assessing environmental plans and potential environmental impacts. My delegation echoes Algeria/African Group, China, Tonga, and others about the necessity that if experts are to be consulted in a formalized mechanism or manner, then the experts should be diverse in their geographic representation, views, expertises, and backgrounds. My delegation also agrees that the experts should provide added value to the considerations of the LTC and other organs of the ISA, particularly with respect to environmental plans and potential environmental impacts.

Toward that end, my delegation wishes to echo the views expressed by Tonga on the need to incorporate expert views from the Pacific SIDS. As Tonga eloquently noted, experts should include those from Pacific SIDS who have equal academic and technical expertise as formal scientists, and who may also provide perspectives from economic, social, cultural, environmental perspectives, given strong and long-standing linkages of the people of the Pacific SIDS to the Ocean. Specifically, indigenous peoples and local communities in the Pacific SIDS--and likely in other parts of the world--have long-standing traditional knowledge about marine creatures that range between their coastal waters and the high seas. These include sharks, turtles, whales, tuna, among others, and the traditional knowledge include knowledge about their migratory patterns, feeding behaviors, and sensitivity to changes in the marine environment, among others. Additionally, indigenous peoples and local communities in the Pacific SIDS continue to engage in instrument-free traditional navigation across the high seas, using the waves and sea creatures as well as the stars and other natural environments to guide their voyages. After centuries of such voyages, they have amassed traditional knowledge about migratory paths, aggregation sites, spawning sites, and other behaviors of marine species in the high seas, as well as marine processes in the high seas such as wave patterns. Experts in such traditional knowledge can be significant added value to the deliberations of the LTC and the Council, particularly with respect to assessments of environmental plans and the potential environmental impacts of activities in the Area on the marine environments in and surrounding the Area.

In terms of consulting experts of such traditional knowledge, the LTC and the Council can look to existing formal constituencies of indigenous peoples from the seven regions of indigenous peoples recognized by the United Nations. The meetings of the Permanent Forum on Indigenous Issues at the United Nations are good opportunities to reach out to the experts of traditional knowledge therein. The LTC and the Council can also look to the work done under the CBD (including in regional workshops on EBSAs, which extend into areas beyond national jurisdiction; and in the so-called Article 8(j) Working Group), which features significant participation of experts of traditional knowledge from indigenous peoples and local communities; the work done in the UNFCCC (particularly its Local Communities and Indigenous Peoples

Platform, which is a forum for exchanges of traditional knowledge and views about impacts of climate change on the Ocean, including in areas beyond national jurisdiction); the work done in the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (with heavy involvement of indigenous peoples, and with current work being done on MGRs and traditional knowledge in areas beyond national jurisdiction), and the Intergovernmental science-policy Platform on Biodiversity and Ecosystem Services.

Finally, for more information on some of the views of the FSM on the relevance of traditional knowledge, please refer to the FSM's written submission to the ISA from October 2018.

Thank you.