

ISA 29th Session, Part II – Reading of the Draft Consolidated Text

Oral Statement by the Federal Republic of Germany

Delivered in July 2024

Regulation 44 ter- Environmental Goals and Objectives

Germany strongly supports the new DR 44ter to cover the topic of Strategic Environmental Goals and Objectives. Environmental goals and objectives are fundamentally important, indeed we consider them to be ‘necessary measures’ within the meaning of Article 145 of the Convention, to operationalize the Authority’s environmental obligations.

We propose to define the term Strategic Environmental Goals and Objectives in the **Schedule** by reference to this new DR 44ter.

The proposed new DR 44ter reflects the criteria that were included in DR 13(4)(c), which we consider are more suitably provided in a stand-alone regulation and cross-referenced in DR 13. We note that environmental goals and objectives are foreseen throughout the draft regulations, hence this DR 44ter offers clarity on an issue that is already reflected in other draft regulations, such as DRs 13, 38, 45, 46, 46 ter, 48, and Annex IV.

Environmental goals and objectives should be strategic, meaning long-term, and applicable across the Area and to all mineral resource types and environmental settings. Environmental goals and objectives will underpin and guide ISA decision-making and Contractor's actions, and as such will provide consistency and predictability for all States and stakeholders.

Strategic environmental goals and objectives will also assist (and indeed, are urgently required for) the consistent development of REMPs, and of environmental thresholds. The REMPs should reflect the strategic environmental goals and objectives and break them down into regionally and mineral specific objectives, which should be set out in each REMP.

Germany therefore considers that DR 44ter will help the draft regulations:

- establish clearly the existence and role of the strategic environmental goals and objectives;
- include a list of strategic environmental goals and objectives; and

- cross-refer to the Authority's strategic environmental goals and objectives, in appropriate places throughout the Regulations (incl the Schedule, DR 13, the provisions on the EIA, EIS, EMMP and Closure Plan, and indeed a future environmental policy of the Authority).

The aim should be to achieve a consistent approach by the ISA, Contractors and Sponsoring States towards the same goals and objectives.