

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

Oral Statement by the Federal Republic of Germany

Delivered in July 2024

Regulation 60 - Final Closure Plan: Cessation of production

On a general note, Germany wishes to note that DR 60 appears to use the term “Final Closure Plan” throughout, when it mostly speaks to an updated Closure Plan that is then to be finalized. This just needs to be streamlined throughout this regulation.

Furthermore, we believe more clarity is needed on the responsibilities of the Contractor during a temporary suspension of operations. We consider DR 60 to apply to the Final Closure Plan that covers the end of a mine site (which as the title suggests: upon the cessation of production). While Para 1 is worded in a way that temporary suspension is included in cessation, we suggest treating these scenarios separately.

We therefore support a separate provision elsewhere to clarify the scenario of temporary suspensions, including the obligations that apply to the Contractor and requirements to implement the part of the Closure Plan that applies to temporary suspensions, whereby a contractor should not be required to finalize the Closure Plan at this stage.

We support para 1 bis alt over para 1 bis and 1 ter as the obligation in the former is clearer. We look forward to discussing and strengthening DR 93bis when we get to that provision.