

Deep Sea Conservation Agenda item 11, Draft Regulation 2
Tuesday 18 March, 2025

This intervention is made on behalf of the Deep Sea Conservation Coalition. We would add that we support the interventions of our colleagues amongst the observers who have already spoken on this DR. Principles serve as the foundation for the Regulations: They are broad, universal, and timeless guidelines that help inform and shape decision-making and behaviour.

Regarding the substance of DR2, whilst we support the content of para 3 ALT, including the wording on biological diversity and ecosystem integrity, we think this DR still does not sufficiently reflect other current, fundamental and globally agreed principles and commitments to not only protect and preserve but to halt and reverse, or otherwise prevent, biodiversity loss; to prevent the degradation of marine ecosystems; to protect, and restore, the health, productivity and resilience of oceans and marine ecosystems; and to build ocean ecosystem resilience - all key elements of the 2012 Rio+20 outcome document “The future we want”, the 2030 Sustainable Development Goal 14 Target.2, the BBNJ Agreement, as well as the marine and coastal decision adopted by CBD COP-15 in 2022.

We support the interventions of Brazil, Costa Rica, Portugal, Panama, Switzerland and others on the need to retain in para 3(a) the requirement to adopt an Environmental Policy and a number of the proposals from the African Group, Chile, the Netherlands, Australia, Ireland and others on the need to strengthen the environmental provisions in this DR. Like Brazil, Belgium and others, we hope to see the development of a general policy for the protection and preservation of the marine environment by the Assembly of the ISA.

In addition, whilst DR 2 includes a requirement for the use of relevant traditional knowledge of Indigenous Peoples and local communities (and we would agree with Costa Rica to remove “where relevant”), it fails to incorporate **the duty to safeguard and protect** indigenous cultural values and to obtain the free, prior and informed consent of Indigenous Peoples and local communities potentially affected by decisions of the Authority; and does not include a fundamental principle under which the ISA would be required to obtain a broader understanding of the role of the deep-sea in regulating global planetary processes through dedicated marine scientific research before any applications for plans of work are considered.

In summary, all of the above reflect clear, fundamental, global commitments States have adopted over the past two decades or so which are of great importance to civil society and the future of our planet. States should insist that these be recognized and adhered to by the ISA. Amongst other potential impacts, scientists have highlighted the risk of driving species extinct, including species that may not have yet been discovered or described. For the ISA to authorize nodule mining in the full knowledge of this risk, but without understanding how to prevent it nor establishing an obligation to do so, would be gambling with numerous environmental risks including species extinction. That a global regulatory body of 169 countries and the European Union responsible for managing seabed activities across half the surface of the planet would knowingly and willingly authorise nodule mining under these circumstances should be unthinkable. Doing so would turn the clock back on evolving international commitments to conserve biodiversity, protect the environment and pursue sustainable development by 20, 30, maybe 50 years. To paraphrase the name of the Rio+20 outcome document, is this really the future we would want?