

IUCN statement on draft strategic plan

25 July 2018

Happy African Day of Seas and Oceans—how appropriate that discussions on this draft Strategic Plan are taking place on this day.

Mr President, IUCN would like to first make a comment, respectfully, on your approach to allowing observers to speak. To my knowledge, the tradition in this body has not been to close debate before observers have spoken, but rather to allow observers to feel they have the ability to make a contribution to this debate. It is thus unusual to close the debate or to ask the floor if there are any objections to having the observers speak. I am speaking now out of concern over the potential precedent this sets for this body which is charged with managing the Area and its resources on behalf of humankind as a whole.

IUCN would like to thank the Authority for its hard work and consultative process in developing the draft Strategic Plan. In particular, IUCN welcomes the improvements in 1.1 and 1.5, as well as Strategic Directions 4, 5 and 8 as important efforts towards improving the Authority's governance, transparency and accountability. IUCN would like to share comments specifically on **Strategic Direction 3 and the final section on Expected Outcomes** and associate itself with the more detailed comments of the DSCC.

With respect to SD3 on Protect the Marine Environment, IUCN is concerned that SD 3.1 no longer reflects the specific directive of UNCLOS Article 145 which, as we all know by now, is to adopt the measures necessary to ensure effective protection from harmful effects. IUCN suggests that SD 3.1 could be amended to stress the need to develop a regulatory framework based first and foremost on the best available science and precaution. As was discussed fulsomely at the last Assembly, the regulations need to be consistent with UNCLOS.

In this regard, IUCN would like to refer to the important work of the Deep Ocean Stewardship Initiative (DOSI) on Strategic Environmental Goals and Objectives (SEGOs). A two-page brief on this issue can be downloaded [here](#), as well as the entire document [here](#). As noted in the DOSI brief introduced to Council last week, overarching SEGOs that are applicable uniformly to the entire "Area" should be developed as soon as possible in order to inform the development of Regional Environmental Management Plans (REMPs), future standards and guidelines, as well as contractor-specific environmental management plans (EMPs). Such overarching SEGOs are necessary to ensure equitable obligations for the protection of the marine environment across regions and contractors and indeed should already be in place to inform the emerging REMPs.

Thus IUCN suggests that Section 3 of the Strategic Plan should also refer to an additional Strategic Direction 3.1b is to **"Advance the development of strategic environmental goals and objectives and effective and scientifically robust targets and indicators."**

As the DOSI brief recommends, such efforts will entail dedicated workshops and perhaps an ad hoc working group where experts with different backgrounds, spanning from natural sciences to industry and law, work to develop SEGOs, and identify relevant targets, the indicators to be measured and the thresholds to be assessed during and after any mining activities. DOSI, DOOS (the Deep Ocean Observing

Strategy) and INDEEP contain a wealth of scientists from around the world that are available to provide knowledge and expertise.

On SD3.4 referring to scientifically and statistically robust monitoring programmes and methodologies, IUCN notes once more that the specific requirements of UNCLOS 145¹ could be more accurately reflected. In addition to interference with ecological balance of the marine environment, SD 3.4. should also refer to, for example, “**other harmful effects, including from pollution or other hazards to the marine environment, or harmful effects that have the potential to undermine the protection and conservation of the natural resources or damage to the flora and fauna of the marine environment.**” The DOSI report also suggests how to incorporate these requirements into SEGOs.

Robust monitoring programmes are likewise essential to achieve the Expected Outcomes, in particular the Expected Outcome referred to in paragraph 34 (i) which refers to establishment of a monitoring program to ensure that existing regulations are adequate and complied with. **IUCN would again note that an effective monitoring program needs to observe, measure, evaluate and analyze the full range of effects of mining activities, not just the “risks or effects of pollution”, consistent with UNCLOS Article 145.** Again, for such monitoring programmes to be effective, they will need to be guided by SEGOs as well as appropriate targets and indicators.

In, summary, IUCN requests that work to develop SEGOs and to integrate them into binding standards to guide the development of REMPs and any future EMPs be undertaken as soon as possible. Such work on SEGOs should thus be incorporated into the Strategic Plan and/or in relevant action plans to take elements of the Strategic Plan forward.

You can find links to both the DOSI report and brief below. We have also attached the documents to this email so that they can be directly shared with the Secretariat for further consideration and distribution.

[Full DOSI Report on SEGOs](#)

[DOSI Brief on SEGOs](#)

Thank you Mr. President.

¹ Necessary measures shall be taken in accordance with this Convention with respect to activities in the Area to ensure effective protection for the marine environment from harmful effects which may arise from such activities. To this end the Authority shall adopt appropriate rules, regulations and procedures for *inter alia*:

(a) the prevention, reduction and control **of pollution and other hazards to the marine environment**, including the coastline, **and of interference with the ecological balance of the marine environment**, particular attention being paid to the need for protection from harmful effects of such activities as drilling, dredging, excavation, disposal of waste, construction and operation or maintenance of installations, pipelines and other devices related to such activities;

(b) the **protection and conservation of the natural resources** of the Area and the **prevention of damage to the flora and fauna** of the marine environment.