

CANZ (Canada, Australia, New Zealand) Statement in the Assembly as delivered by Canada

Mr. President,

It is my honour to make this statement on behalf of Australia, New Zealand, and my own country Canada. We join others in congratulating you on your election as President.

We recognize the valuable work of the Authority in regulating the Area, and the progress made in the last 12 months toward the development of a mining code.

As the focus of the Authority moves from exploration to exploitation, we urge it to proceed with caution, based on science, to manage the mineral resources of the Area while ensuring that the marine environment is protected from any harmful effects of mining-related activities.

We urge the Authority, through the Legal Technical Commission (LTC), to continue its work on the exploitation regulations as a matter of priority. We would like to thank the LTC for the development of a roadmap for completion of the mining code, with key milestones. Importantly, the roadmap must allow time for member states to engage substantively on successive drafts, not only through formal submissions but also through detailed and substantive discussions in Council meetings. These discussions will be particularly important to allow for an exchange of views with a wide range of stakeholders and for engagement by states that may not have capacity to produce formal written submissions. We therefore urge the Authority to circulate the next iteration of the regulations well in advance of next year's council session and encourage open and transparent consultation going forward.

We emphasise that exploration and environmental regulations must be developed and adopted concurrently, and that we see the two sets of regulations as two parts of a whole. As such, we welcome the release of a consolidated set of regulations covering both exploitation and environmental matters. We will assess this latest version of the draft regulations in detail and provide formal feedback as requested. We encourage other stakeholders to do the same. It will be important to ensure that the draft regulations provide sufficient protections for the marine environment, and accurately reflect UNCLOS.

The marine environment is one that we still do not fully understand. We must make decisions based on the best available science, and remain flexible to respond to advances in our scientific understanding. We must also adopt a precautionary approach. As the regulations develop we will seek to ensure that the Authority has the power to verify compliance with environmental

obligations, to ensure there are consequences for breaches of those obligations, and to act swiftly, and even pre-emptively if necessary, to protect our shared marine environment.

While work continues with the regulations, it will also be important to move forward in other areas.

We would like to reiterate the importance of the review of the Environmental Management Plan (EMP) for the Clarion Clipperton Zone (CCZ). This work is essential to the good management of the marine environment in the Area, which is a core function of the Authority. We note the decision of the Commission to defer until early 2018 a workshop on the status of the implementation of the CCZ EMP, and areas of particular environmental interest. We welcome the Commission's intention to convene a workshop later this year on the criteria for the selection of impact reference zones and preservation reference zones and stress the need for environmental management plans to be developed for other regions.

In addition to the LTC's required work on the exploitation regulations, the Finance Committee will need to begin work on matters that are in their purview such as the determination of administrative and fixed fees and performance guarantees. The development of equitable sharing criteria for economic benefits from exploitation activities in the Area as well as for the payments arising from Article 82 will also need to begin soon.

We encourage the Authority to continue to include Article 82 in its work plan. There is increasing exploration activity in the continental shelf beyond 200 M of several Members, and though exploitation remains years in the future, more clarity regarding how this provision of the Convention will be implemented will be necessary in order to enable operators to properly assess the commercial viability of the discoveries made in these areas.

Mr. President, at a time when the Authority is facing a mounting workload, we need to ensure the working methods of the Council assist the Authority's overall efficiency and effectiveness. CANZ continues to consider how to improve the ISA's institutions and working methods. We note our support for the measures already underway to streamline the functions of the Secretariat, particularly with respect to environmental policy, and look forward to discussing the suggestions made by the art 154 Review Committee later this week. In this regard, we look forward to the Secretary-General's submission of a draft strategic plan to the Assembly in 2018. The plan will be important to ensure the organs of the Authority work in a focused, efficient and prioritised manner going forward.

Finally, CANZ welcomes the Council's continued efforts to be clearer about what it expects from other organs of the Authority – in particular, from the Secretariat and the LTC. We think it is useful for the Council to set out its expectations (including timeframes) in a decision, as has occurred over the past few years. We would like to express our great appreciation for the

Secretary-General's report this year on the Council's decision in 2016 regarding the LTC's priorities and program of work. We consider that this practice increases transparency and assists in building the Authority's institutional memory and we would welcome further such reports in future.

Thank you, Mr. President.