

FSM statement on REMPs

Madame President,

On the issue of REMPs, we are grateful for the note prepared by the Secretariat contained in C/4, and we thank Mr. Brown for his introduction of the report.

My delegation echoes the views expressed by many others today about how crucial REMPs are to the proper implementation of the Mining Code. We think that REMPs need to form a core component of the ISA's efforts to protect and preserve the marine environment in connection with the exploitation of mineral resources in the Area. We are also of the view that the regulations in the Mining Code must specifically allow for REMPs that call for the establishment of protected areas in the Area in order to protect and preserve vulnerable/fragile/sensitive ecosystems in the seafloor as well as the water columns above, where necessary, as noted by Belgium. We also think that there is value in ensuring that REMPs are in place before exploitation actually occurs in the relevant Area, and we note that there does not seem to be any opposition to this so far in views expressed by relevant stakeholders.

On the issue of whether REMPs can and/or should be legally binding, we think that it will be very useful in terms of regulatory teeth and certainty if REMPs are deemed to be legally binding, and we note the views of Germany, Norway, and others on how REMPs could be made legally binding via Council decisions as well as through language in the regulations under the Mining Code. We recognize that making REMPs legally binding could require sensitive and time-consuming political negotiations, including in the Council, but on the other hand, this could ensure that as many relevant stakeholders as possible are consulted in the development of such REMPs.

On that point, my delegation takes note of the workshop held in China last May to develop a roadmap for a REMP in the cobalt-rich ferromanganese crust area of the north-west Pacific. We also note that the Secretariat has proposed in C/13 the holding of a regional workshop in the first quarter of 2020 for cobalt-rich ferromanganese crusts on seamounts in the northwest Pacific, with a view toward developing a REMP for the northwest Pacific in this regard. My delegation stresses the importance of involving all relevant stakeholders in this regional workshop as well as the planning committee for this regional workshop, including the FSM and our neighbor the RMI, if our neighbor wishes to participate. The northwest Pacific is our neighborhood, essentially. The EEZs of the FSM and RMI are adjacent to the part of the Area with seamounts that are cobalt-rich in the northwest Pacific. While a REMP for the northwest Pacific would focus on those minerals and their habitats in the Area and not explicitly dictate what can be done in the EEZs of the FSM and RMI, it is my delegation's view that a REMP must take into consideration the views and interests and environmental conditions of the marine environments of coastal States adjacent to the relevant part of the Area. Echoing what was said by Algeria on behalf of the African Group, the Ocean has a global nature--there is one Ocean--and activities in the Area could have wide-ranging impacts on marine environments within adjacent national waters as well as in the Area, with no heed for lines drawn by the international community on maps. When developing REMPs, adjacent coastal States must play key roles in the development process, in part to ensure that the REMPs call for environmental management approaches that are no less ambitious than the approaches

taken in national waters, and in part to ensure the sharing of relevant baseline data that could be of use in national waters. We also see the need to involve indigenous peoples and local communities embodying traditional lifestyles connected to the Ocean in adjacent coastal States in the development of REMPs, in line with the practice highlighted by Canada in its domestic processes. We encourage the SG and the rest of the Secretariat to ensure that this robust participatory role for adjacent coastal States is achieved, including for the northwest Pacific.

Finally, and on a more general level, my delegation stresses that while REMPs should be region-sensitive, they should also be in line with global/overall standards and guidelines for environmental management and protection, as the Ocean is a unitary whole. These standards and guidelines for environmental management could be those identified and developed by the ISA, and they could also be those identified and developed by other related international instruments, institutions, and processes, including those under the CBD, the FAO, the IMO, and the BBNJ process, as well as under the UNFCCC process with respect to impacts of climate change and related natural phenomena on the Ocean. The more interlinkages there are between these various efforts to manage activities in and impacts on the Ocean, the better the ISA will be in discharging its mandates with respect to activities in the Area and their potential impacts on the surrounding marine environments.

Thank you.