



COMMENTS ON PART III (SECTION 4) OF THE DRAFT EXPLOITATION REGULATIONS ISA 25TH SESSION 17 July 2019

Thank you, Madame President, for giving ICPC the floor.

Yesterday, in the discussion about Part II, ICPC shared its general views on the insufficiency of the current text of Draft Regulation 31 in implementing the due and reasonable regard obligations in the Convention. I will not repeat those comments here and ask that my comments yesterday be associated with deliberations on Part III and Draft Regulation 31. ICPC associates itself with the comments of France with respect to our joint proposal and also the further comments of Australia.

Among the many constructive proposals by Australia, which ICPC strongly supports, Australia has highlighted a critical point that I will briefly address. Unlike mining, fishing, and shipping, which are regulated by the ISA, RMFOs, and IMO respectively, there is no international organization that regulates submarine cables in ABNJ. ICPC is not a regulator, but instead an NGO. The article 113 obligations in the Convention are separate from, and supplement, the due and reasonable regard obligations in articles 87 and 147. ICPC therefore supports the inclusion in Draft Regulation 31 of references to article 113 and national laws of coastal states and flag states.

Thank you for your consideration of these points, Madame President.