

Statement by the Institute for Advanced Sustainability Studies in Relation to the Report of the Chair of the LTC on the work of the Commission at the 25th session (ISBA/25/C/19 and ISBA/25/C/19/Add.1)

Madame President, thank you. We would like to begin by joining you in underlining the great significance of honouring Nelson Mandela today. We would also like to express our appreciation to the Chair of the LTC for her efforts and for this Report, as well as to all members of the LTC.

We would like to comment on both parts of the Report.

With respect to the first part of the Report (as found in ISBA/25/C/19), we would like to comment on Part IV (entitled Regulatory activities of the Authority), specifically on Section B (on the Revised recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area). We refer to paragraph 16, in particular to the parts where reference is made to LTC seeking inputs from contractors and external scientific experts, in particular experts in disciplines not covered by the expertise within the Commission, and that the Commission had considered inputs submitted by them. We welcome this initiative and encourage the LTC to continue such practice in future. However, in the interest of transparency and openness, we would recommend that relevant details, such as the identities of contractors and external scientific experts, as well as a summary of the inputs they provide, be disclosed in future reports. Such information must also feature in the outcome document, which in this case can be found in document ISBA/25/LTC/6, where we note that some general statements were at least made about certain related workshops that provided some input into this process. Further, we also encourage the LTC to open up such draft documents for public comments in future, before its adoption by the LTC. We would also recommend that critical matters relating to the protection marine environment, such as some of the matter covered in document ISBA/25/LTC/6, should not be housed in a non-binding document, but adopted as binding ones instead.

With respect to the second part of the Report (as found in ISBA/25/C/19.Add.1), specifically on the Annex ad Enclosure 1, pertaining to the LTC's recommendations in relation to the development of standards and guidelines for activities in the Area, we would like to make a brief comment in support of statements made by a host of member States (such as Germany, Costa Rica, the African Group, the Federated States of Micronesia and others) in this respect. In this connection, like Germany and Australia, we observe that all the items in Enclosure I take the form of mere 'Guidelines', which as we know, will not have a binding effect. We do not wish to have a situation where the Draft Exploitation Regulations are adopted in haste, and under the assumption that key binding Standards (especially those relating to the protection of the marine environment) will eventually be adopted, only to have these be adopted as Guidelines instead – or worse yet, completely overlooked.

Madame President, thank you for your indulgence.