



## **TONGA INTERVENTIONS TO PART 1 OF THE 25<sup>TH</sup> SESSION OF THE COUNCIL OF THE ISA**

### **Regional Environmental Management Plans (REMPs) and Implementation of the Precautionary Approach to Activities in the Area**

#### **1. Regional Environmental Management Plans (REMPs)**

On the issue as to whether to include REMPs in the regulations or whether the powers afforded to the Council under articles 162 and 145 of the Convention is sufficient to set environmental policy and necessary measures, we agree with Australia and others, and as we have mentioned in our written submission, how REMPs are considered in light of the exploitation activities, will need to be reflected in the draft exploitation regulations. And we would reiterate again a position from our submission, and is a point that seems to have carried positively this afternoon, that permission to mine will only be considered where a REMP is in place.

We also agree with our fellow Pacific small island developing States, Federated States of Micronesia and Fiji, including the IUCN, that in the development of REMPs which will be designed to cover an area adjacent to coastal and adjacent states, such as that of Federated States of Micronesia and the Republic of the Marshall Islands in the north west Pacific, as well as Kiribati whose EEZ is adjacent to the CCZ, such coastal and adjacent states must be engaged in the development and finalization of such REMPs. In fact, we would submit that given the ocean is one interconnected and linked reality, that regions adjacent to the Area, such as the Pacific Island region being immediately adjacent to the CCZ, that these regions likewise be engaged or at least consulted, as well.

#### **2. Implementation of the Precautionary Approach to Activities in the Area**

On the precautionary approach, we thank the secretariat for highlighting this as an important thematic area to address, and for the Annex to C/8 setting out the non-exhaustive list of potential procedural measures for implementation. This, as mentioned by others is a useful starting point for the Commission to work on bearing in mind the context. Access to data and information as highlighted in numbers 2 and 9 of the Annex will help inform the reviews on the adequacy of the regulatory framework.

We notice the reference to cost-effectiveness of measures in the implementation of the precautionary approach. We think further discussions will be needed in this respect particularly in ensuring that “cost-effectiveness” ensures that the measures are implemented at the standard required under the exploitation regulations and achieves the primary objective of Article 145 of the UNCLOS. We think it will be useful for the Commission to explore this concept of “cost-effectiveness” in light of the implementation of the approach.