



Item 14: Report of the Chair of the Legal and Technical Commission on the work of the Commission at the second part of its twenty-seventh session (ISBA/27/C/16/Add.1)

Draft standardized procedure for the development, review, and approval of Regional Environmental Management Plans (REMPs): ISBA/27/C/37

Delivered on 03.11.2022

Many thanks, Mr. President, and good afternoon,

The Deep-Ocean Stewardship Initiative thanks the LTC for providing the Draft Standardized Procedure for the Development, Review, and Approval of Regional Environmental Management Plans (REMPs). Overall, DOSI strongly believes the intended purpose of the REMP Guidance has not yet been met. The guidance in ISBA/27/C/37 does not provide a standardized approach for REMPs in the form of a template with minimum requirements, which was the recommendation of ISBA/26/C/7.

DOSI strongly cautions that the REMP guidance should not be adopted until the points raised in the 2020 proposals of Germany, Netherlands and Costa Rica have been considered and either incorporated into the REMP Guidance or elsewhere, or a justification for their exclusion provided. We support the suggestions to re-examine the approach and drafting as proposed by Germany, Netherlands, Costa Rica, Italy, Trinidad and Tobago and others. DOSI also further seeks clarification on the procedure that would ensure that existing REMPs are aligned with the template.

DOSI also has concerns about the process for stakeholder engagement related to the REMP process, in particular, around the process and criteria by which experts are invited to participate in the REMP process. Like several delegations including the UK, Belgium, France, and others, we caution that the 45-day period for stakeholder consultation is too short. Deep-sea scientific experts are often at sea for extended periods of time without reliable internet access. We propose a minimum 90-day stakeholder consultation period as more appropriate to enable full stakeholder engagement. DOSI also proposes the addition of reference to a process for stakeholder mapping and outreach to ensure inclusion of experts and relevant stakeholders.

DOSI will provide detailed written feedback on ISBA/27/C/37 to highlight areas of discrepancy between it and the recommendations of ISBA/26/C/6 and ISBA/26/C/7, and stands ready to support efforts.

Thank you, Mr. President.

Draft Regional Environmental Management Plan for the Area of the Northern Mid-Atlantic Ridge: ISBA/27/C/38

Delivered on 03.11.2022

Many thanks, Mr. President

DOSI congratulates the LTC on the revised draft plan for the regional environmental management plan (REMP) for the area of the northern Mid-Atlantic Ridge (nMAR). DOSI experts appreciate that they have been able to contribute to this process and acknowledge that much of the discussed science is reflected in this REMP. However, DOSI has several observations on the draft that we hope the Council will consider.

First, and most importantly, DOSI agrees with many States who have stated that the development of the REMP for the nMAR be paused, given the lack of a standardized procedure and template, and of defined thresholds.

Second, DOSI cautions that this REMP still contains several gaps that reflect other ongoing discussions within the Council, such as (1) the *criteria* for the development of area-based management tools, (2) the *design* of area-based management zoning schemes, (3) the development of *thresholds* and their indicators and methodology, (4) the consideration of other human activities, underwater cultural heritage, and incorporation of traditional knowledge, (5) scenario forecasting from multiple mining operations, and (6) a frequent and robust process for reviewing and updating regional environmental baseline information, assessments and management measures.

Third, DOSI is concerned that the overall degree of protection afforded to unique and important hydrothermal-vent ecosystems is undermined by certain provisions in this REMP. For instance, Para 52(b) provides that contractors must monitor hydrothermal activity for interruption or disruption to vents. However, once such a major disturbance has occurred, it cannot be reversed or mitigated. This provision should ensure that such disturbances are avoided, not just monitored. Fourth, in several instances the phrase “through collaboration with other competent regional and international organizations and scientific communities” has been removed from the text of the revised REMP. This is particularly concerning to DOSI as only through consistent engagements with these bodies will there be accountability regarding cumulative impacts, and therefore effective environmental protection of the nMAR.

Finally, DOSI is concerned that Annex V lacks clarity on how, when, and by whom remaining knowledge gaps will be closed, and by whom and how it will be decided when knowledge gaps are sufficiently addressed. Until the knowledge gaps are closed, the nMAR REMP cannot be fit for purpose. DOSI therefore recommends not adopting the nMAR REMP before a robust strategy exists on how to transparently implement the closure of knowledge gaps. This strategy should address, *inter alia*, timelines, responsibilities, quality controls, review, and stakeholder consultations. Additionally, we will provide detailed written comments on ISBA/27/C/38. Many thanks.