



## **Intervention re Draft Regulation 48bis**

**25 July 2022**

Good afternoon, Madame Facilitator and colleagues. As this is the first time that the International Cable Protection Committee, or ICPC, is taking the floor during this meeting, we would like to thank you, Madame Facilitator, for your hard work and leadership in these discussions and pledge our support to you to ensure productive and successful discussions.

The pandemic has clearly demonstrated the criticality of the submarine cable infrastructure; without which none of the virtual meetings of the Authority would have been possible, or the virtual participation of delegates to this meeting. This criticality was further dramatically demonstrated by the Tonga volcanic eruption earlier this year that took out Tonga's only international cable and the Tonga inter island domestic submarine cable system

Madame Facilitator, we also thank Germany for its Revised Draft of Regulation 48bis regarding test mining. We also refer to the ICPC intervention on test mining during Part 1 of the Council Session earlier this year.

As we have heard from delegates prior to lunch; test mining employs invasive tools and activities, hence the discussion with respect to the environmental impact of this activity. The ICPC believes that the concept of test mining also raises due and reasonable regard considerations under the Convention, and risk of damage to submarine cables resulting from a lack of coordination due to equipment on the sea floor, as does commercial production. The ICPC therefore asks that in considering Germany's proposal that the Council and members consider the need for a coordination mechanism consistent with the one that the



ICPC has proposed jointly with France for Draft Regulation 31 as reflected in Draft Regulations ISBA/26/C/CRP.1

The ICPC propose that an additional sentence be inserted to Germany's Revised Draft Regulation 48bis on Test Mining that cross references with DR 13 1g (i) (ii) and 4d alt; DR 15 3c; DR 31 and DR Annex 1 III 20bis of ISBA/26/C/CRP.1

Absent modification of the exploration regulations to address this need for coordination with respect to test mining, the ICPC does not support treatment of test mining under the exploration regulations.

Thank you, Madame Facilitator.