

Statement of the International Union for Conservation of Nature (in response to the statement by France calling for a ban on all deep seabed mining activities)

Council of the International Seabed Authority, Plenary, 10 November 2022

Thank you, Mr. President.

The International Union for Conservation of Nature welcomes the statement delivered by the distinguished delegate of France this morning. In September 2021, Resolution 122 calling for a moratorium on deep seabed mining activities in the Area was adopted with overwhelming support at the IUCN World Conservation Congress in Marseille, France. We commend France for showing leadership in this area, along with the likes of Germany, Panama, New Zealand, Costa Rica, Chile, Spain, the Federated States of Micronesia and others that have all, in recent months or days, called for a moratorium or precautionary pause at the Council. Our delegation would warmly welcome others that are currently contemplating their national positions to rise to the occasion and join the ranks of the delegations mentioned above.

The mineral resources of the Area are the common heritage of humankind and the Authority is required to act on behalf and for the benefit of humankind as a whole. Moreover, Article 145 of the Convention requires the Authority, which comprises all member states, to take all appropriate measures to ensure the effective protection of the marine environment from the harmful effects of activities in the Area. Giving effect to Article 145 would mean that if the effective protection of the marine environment cannot be ensured, appropriate measures must be taken to ensure that exploitation activities do not occur. The position of France is not only a responsible one, but also one that is scientifically necessary as well as legally sound and defensible, which conforms fully with the Convention and the 1994 Agreement alongside other rules, principles and norms of international law.

IUCN would like to reiterate its position that mining activities should not commence in the Area without a robust set of regulations ensuring effective protection of the marine environment. In light of significant knowledge gaps and a clear indication from science of large-scale potential environmental harm, a precautionary pause, moratorium or ban on deep seabed mining is the best way for the member states of the Authority to fulfill their responsibility under the Convention to act in the best interests of humankind as a whole. This includes the need to introduce significant institutional reforms at the Authority in order to make it fit for purpose to act on behalf of humankind as a whole.

As always, our delegation stands ready to provide independent advice and support to all delegations on this matter.

Thank you very much, Mr President.