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General Comments

Dear Colleagues,

This response to the draft regional environmental management plan consultation for the Area of the northern Mid-Atlantic Ridge (nMAR REMP) is in our personal expert capacity as scholars. It draws on the Turner et al. (2020) paper in Marine Policy (see PDF submitted with this response) and focuses on suggestions for the inclusion of cultural heritage topics in the REMP.

The historic and cultural setting of the Mid-Atlantic Ridge is as important as the environmental and geological settings currently detailed within this draft text. The nMAR REMP is an area of cultural significance due to the historic connection to the transatlantic slave trade. During the transatlantic slave trade more than 12.5 million Africans were held captive on 40,000+ voyages that passed over the mid-Atlantic Ridge (Turner et al. 2020), many within the nMAR REMP area. An estimated 1.8+ million Africans did not survive the voyage and for these people the Atlantic seabed became their final resting place (Turner et al. 2020).

Contemporary poetry, music, art and literature detail the importance of the Atlantic seabed in African diasporic cultural memory. The potential to discover shipwrecks and artefacts relating to the trade, capture and imprisonment of African people should be considered in this REMP; this would be consistent with a precautionary approach and Regulation 37 within the regulations on prospecting and exploration for polymetallic sulphides in the Area. More broadly, there is a need for stakeholder engagement relative to the cultural heritage of the deep Atlantic. Such engagement would help to achieve goal 12h of the current draft text, which is to “facilitate cooperative research to better understand the marine environment to inform the implementation of this plan, including through the ... multilateral exchange of views on environmental management issues.”

As it stands, the nMAR REMP does not consider underwater cultural heritage. From the background documents to the Evora workshop it does not appear that either the Data Report or Regional Environmental Assessment considered the historic environment of the North Atlantic. Equally, the current nMAR REMP area is restricted to 100km either side of the ridge axis, which risks limiting consideration of cultural heritage within the work of the ISA. We encourage the ISA to consider expanding this boundary in the future, to consider the historical setting of the North Atlantic as a whole and, through engagement with relevant stakeholders, to address the specific question of how best to respect and memorialize those who lost their lives during their Middle Passage.

Although this current text restricts the geographical area to 100km either side of the ridge axis, it should be noted that the nMAR REMP area still includes some of the only data readily available on mortality during the Middle Passage. Historical archives have detailed the approximate locations where 522 Africans were cast into the sea during 35 Dutch slaving voyages (Sluyter 2013). These data points stretch across the Atlantic broadly overlapping with the Romanche Fracture Zone System, currently considered an Area in Need of Protection (AINP) within the draft text (see Figure below, copied from Turner et al. 2020). Recent work by Sussman et al. (2022) has also documented the death of 18 enslaved Africans imprisoned on the *Good Hope* as it sailed from Bunce Island, Sierra Leone to St Kitt's in 1757. A single data point lies within the current REMP area (approx. 3,500km west of Bunce Island) documenting the death of two small boys on 17th May 1757. The only additional note is that the boys died of the '*flux*', an ambiguous medical term that often refers to dysentery. We know virtually nothing about these boys except that their final moments were likely filled with pain and their bodies were unceremoniously discarded into the Atlantic Ocean, no longer considered valuable. This heinous act of disposal was repeated across thousands of slaving voyages, leading the poet Lucille Clifton to write the '*atlantic is a sea of bones./ my bones./ my elegant afrikans/ connecting whydah and new york,/ a bridge of ivory./ seabed they call it.*' (atlantic is a sea of bones, Lucille Clifton, 1987).

These datasets are significant because they add specific details to the overall statistics on embarkation and mortality. These datasets make the nMAR REMP a key document to help ensure the protection and preservation of any cultural artifacts found in the REMP area, and to ensure that the cultural heritage of the

deep Atlantic is recognized. We hope that the ISA will consider our suggestions for the inclusion of cultural heritage topics within the REMP and we encourage the ISA to set a goal of remembering the lives lost during the Middle Passage before the end of the United Nations International Decade for People of African Descent in 2024.

References:

Turner, P. J., Cannon, S., DeLand, S., Delgado, J. P., Eltis, D., Halpin, P. N., Kanu, M. I., Sussman, C. S., Varmer, O. & Van Dover, C. L. (2020). Memorializing the Middle Passage on the Atlantic seabed in Areas Beyond National Jurisdiction. *Marine Policy*, 122, 104254.

Sluyter, A. (2013). The Atlantic Networks Project. <https://sites.google.com/site/atlanticnetworksproject/home>, (accessed 20 July 2020).

Sussman, C., Bradley, I., Desir, K., Glass, G., Harwell, J., Landels, T., Lewis-Meeks, A., Sweitzer, P. & Zhan, D. (2022). Remembering the Middle Passage. <http://rememberingthemiddlepassage.com/> (accessed 20 May 2022).

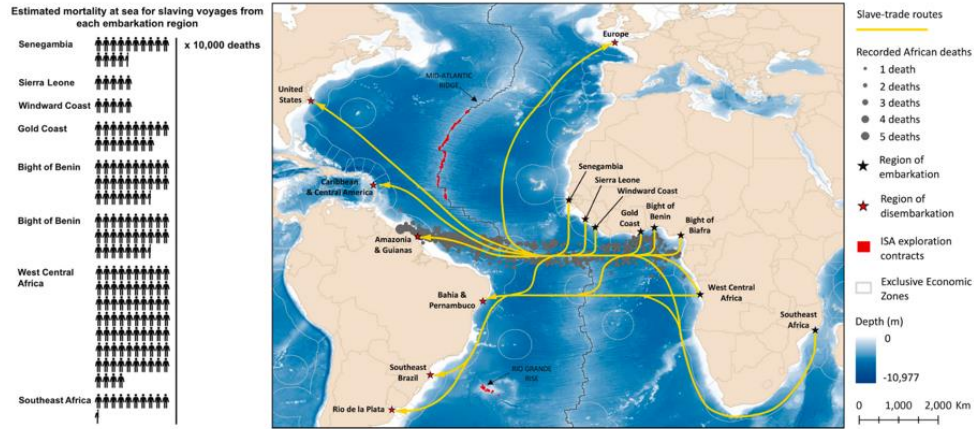
Specific Comments

Page	Line	Comment
5	79	<p>Existing text: “11. a) Common heritage of mankind. The Area and its resources are the common heritage of humankind. All rights to the resources of the Area are vested in humankind as a whole on whose behalf the Authority shall act;”</p> <p>Comment: As noted by Turner et al. (2020), ISA draft exploitation regulations include provisions for preserving human remains, objects and sites of an archaeological or historic nature. As per Article 149 of UNCLOS, cultural artifacts found in the Area are to be “preserved or disposed of for the benefit of mankind as a whole, particular regard being paid to the preferential rights of the State or country of origin, or the State of cultural origin, or the State of historical and archaeological origin”. With this, cultural artifacts are also part of the common heritage of mankind.</p> <p>Proposed revision in red: “11. a) Common heritage of mankind. The Area, its resources and its cultural artifacts are the common heritage of humankind. All rights to the resources of the Area are vested in humankind as a whole on whose behalf the Authority shall act;”</p>
6	93	<p>“12. REMPs in the Area are developed to achieve the following overarching goals:”</p> <p>Comment: A new sub-paragraph should be added to ensure cultural heritage is a component of regional considerations. For the nMAR REMP this cultural heritage will include the history and contemporary significance of the transatlantic slave trade as dominant routes for the trade passed over the nMAR REMP area.</p> <p>Proposed new sub-paragraph: “12. x) Ensure the protection and preservation of any underwater cultural heritage found in the REMP area, and that the cultural heritage of the deep Atlantic is recognized.”</p>
6	111	<p>Existing text: “13. The purpose of this REMP is to set in place conservation and management measures and tools across the region in the Area of the northern MAR to ensure the effective protection of the</p>

		<p>marine environment from harmful effects that may arise from activities in the Area, in accordance with Article 145 of the Convention and the strategic plan of the Authority. To this end, this REMP establishes the principles, goals and objectives and identifies area-based and other management measures, as well as an implementation strategy.”</p> <p>Comment: This paragraph should be edited to ensure cultural heritage is a component of regional considerations. This would be consistent with Article 149 and 303 of UNCLOS, Regulation 37 within the regulations on prospecting and exploration for polymetallic sulphides in the Area, and draft Regulation 35 within the draft regulations on exploitation of mineral resources in the Area, which addresses provisions for preserving and protecting human remains, objects and sites of an archaeological or historic nature.</p> <p>Proposed revision in red: “13. The purpose of this REMP is to set in place conservation and management measures and tools across the region in the Area of the northern MAR to ensure the effective protection of the marine environment from harmful effects that may arise from activities in the Area, in accordance with Article 145 of the Convention and the strategic plan of the Authority; and to protect underwater cultural heritage in the Area, in accordance with Article 149 and 303 of the Convention and the international standards as reflected in the Annex Rules of UNESCO’s 2001 Convention. To this end, this REMP establishes the principles, goals and objectives and identifies area-based and other management measures, as well as an implementation strategy.”</p>
7	126	<p>Existing text: “Environmental and geological setting and the exploration areas for PMS deposits”</p> <p>Comment: The environment should not be limited to natural heritage and resources but should expressly include cultural heritage.</p> <p>Proposed revision to the section title in red: “Environmental, geological and cultural settings, and the exploration areas for PMS deposits”</p>
7	131	<p>Add the following sentence to the end of the paragraph to introduce the cultural setting.</p> <p>Proposed revision in red: “Drawing on these scientific compilations, the environmental characteristics of the MAR are summarized in this section. While the focus is on natural features and resources the historic environment is also considered in this section, with specific focus on the need to protect archaeological or historic objects (underwater cultural heritage) and to recognize the historic connection to the transatlantic slave trade.”</p>
9	190	<p>Add a new paragraph between current paragraph 23 and 24, providing information on the cultural setting of the nMAR.</p> <p>Proposed new paragraph: “The MAR is also an area of cultural significance due to the historic connection to the transatlantic slave trade. During the transatlantic slave trade more than 12.5 million Africans were held captive on 40,000+ voyages that passed over the mid-Atlantic Ridge, many within the nMAR REMP area (see Figure below, copied from Turner et al. 2020). Those held captive experienced unimaginable terror and violence. Illness, insanity, hunger, dehydration, torture, revolt, suicide and shipwreck led to the death of an estimated 1.8+ million Africans, and for these people the Atlantic seabed became their final resting place. In terms of cultural artifacts,</p>

shipwrecks and artefacts relating to the trade, capture and imprisonment of African people may be found in the benthic environment during mining-related activities and should be protected and managed in accordance with international standards. More broadly, evidence of intangible cultural heritage within the nMAR REMP area can be found in contemporary poetry, music, art and literature (Turner et al. 2020). These pieces of work highlight the importance of the Atlantic seabed in African diasporic cultural memory.”

Supporting figure:



Citation (PDF of the manuscript included in submission):
 Turner, P. J., Cannon, S., DeLand, S., Delgado, J. P., Eltis, D., Halpin, P. N., Kanu, M. I., Sussman, C. S., Varmer, O. & Van Dover, C. L. (2020). Memorializing the Middle Passage on the Atlantic seabed in Areas Beyond National Jurisdiction. *Marine Policy*, 122, 104254.

Hyperlink: <https://www.sciencedirect.com/science/article/pii/S0308597X20309003>

9	207	<p>Section “I. Region-specific goals”</p> <p>Proposed new sub-paragraph: “26. x) Prevent adverse impacts to underwater cultural heritage, ensuring that cultural artifacts discovered on the seabed are protected and preserved and that the cultural heritage of the deep Atlantic is recognized.”</p>
9	218	<p>Section “II.A. Operational objectives for the area covered under this REMP”</p> <p>Proposed new sub-paragraphs: “27. x) Catalog the range of likely artifacts relating to the transatlantic slave trade that might be found on the seabed in the REMP area; 27. x) Establish a process for stakeholder engagement relative to the cultural heritage of the deep Atlantic; 27. x) Develop guidance and best practice methodologies for preserving artefacts and sites of an archaeological or historic nature identified within the REMP area; 27. x) Identify, designate and manage sites relating to underwater cultural heritage through collaboration with other competent regional and international organizations, such as the 2001 Convention Secretariat.”</p>

10	240	<p>Comment: Ensure cultural heritage is expressly included in baseline data for the region</p> <p>Proposed revision in red: 'j) Establish a process for periodically updating environmental baseline data for the region, including the environmental, geological and cultural settings;'</p>
10	249	<p>Section "II.B. Operational objectives for contract areas"</p> <p>Proposed new sub-paragraph: "28. x) Avoid harmful impacts on underwater cultural heritage and sites of potential cultural significance, including but not limited to sites where potential human remains and objects of an archaeological or historic nature are discovered."</p>
11	283	<p>Section "II. Area-based management measures"</p> <p>Comment: To ensure cultural heritage is a component of regional considerations the identification, designation and management of culturally significant sites is crucial, including where human remains and objects of an archaeological or historic nature have been discovered. We propose a new area-based management measure specifically relating to sites of cultural significance.</p> <p>Proposed new section: "D. Sites of cultural significance</p> <p>xx. Sites of cultural significance are areas identified for their cultural heritage value, including but not limited to the discovery of human remains and objects of an archaeological or historic nature. Management measures for such sites are to follow best practices; to be determined under the operational objectives for the area covered under this REMP."</p>
13	400	<p>Section "III.B. At the scale of contract areas"</p> <p>Proposed new sub-paragraph: "49. x) To avoid harmful impacts to sites of cultural significance, contractors will need to identify objects or sites of an archaeological or historic nature and manage their activities around such sites, following international standards and best practice methodologies."</p>
15	456	<p>Comment: Ensure cultural heritage is expressly included in baseline data for the region</p> <p>Proposed revision in red: 'a) Bathymetry, geophysics and regional scale mapping: Efforts may start from collating data and information from different sources, including the ISA DeepData database, to develop regional-scale knowledge of bathymetry and geophysics, in order to provide a regional baseline and to guide future sampling efforts. This baseline data should include the potential for underwater cultural heritage, particularly along Middle Passage routes.</p>
16	496	<p>Comment: Research relating to buffer zones will also be needed to inform best practice methodologies relating to underwater cultural heritage.</p> <p>Proposed revision in red:</p>

		<p>' b) 'Buffers and depth zonation: Experimental studies and research may be conducted to address important data gaps for designing buffer zones to protect active vent ecosystems and other significant natural or cultural heritage that may be discovered. Addressing current gaps, such as data on hydrodynamic patterns and geophysical characteristic of vents fields, are necessary for understanding the footprint around which to design buffer zones.'</p>
16	500	<p>Existing Text: "c) Better knowledge of AINPs and S/A-Precaution: As such areas may be located outside contract areas and cover large geographical space, contractors are encouraged to collaborate with scientific organizations to conduct joint surveys. Where possible, the ISA secretariat may facilitate collaboration with other organisations and multinational research projects in developing multidisciplinary programmes for monitoring and research."</p> <p>Comment: To ensure cultural heritage is a component of regional considerations the identification, designation and management of culturally significant sites is crucial, including where human remains and objects of an archaeological or historic nature have been discovered. Therefore, this paragraph should be edited to include "Sites of Cultural Significance", expanding on our comment for Page 11, Line 283, Section II – Area-based management measures.</p> <p>Proposed revision in red: "c) Better knowledge of AINPs, S/A-Precaution and Sites of Cultural Significance: As such areas may be located outside contract areas and cover large geographical space, contractors are encouraged to collaborate with scientific organizations to conduct joint surveys. Where possible, the ISA secretariat may facilitate collaboration with other organisations and multinational research projects in developing multidisciplinary programmes for monitoring and research.</p>
17	548	<p>Existing Text: "53. ... Collaboration with other competent international and regional organizations will aim to bring together existing knowledge and resources to inform the design and monitoring of SINPs, AINPs and S/A Precaution, as well as the development of relevant thresholds."</p> <p>Comment: As with the comment above, to ensure cultural heritage is a component of regional considerations the identification, designation and management of culturally significant sites is crucial. Collaboration with other competent organizations will be key to informing the design of Sites of Cultural Significance.</p> <p>Proposed revision in red: "53. ... Collaboration with other competent international and regional organizations will aim to bring together existing knowledge and resources to inform the design and monitoring of SINPs, AINPs, S/A Precaution and Sites of Cultural Significance, as well as the development of relevant thresholds. The implementation of this REMP would also benefit from sharing best practices and creating synergies at the regional scale with the relevant competent international and regional organizations within the context of respective competences and mandates."</p>