

Australian statement

Thank you, Mr President

As a maritime nation and custodian of the world's third largest marine jurisdiction, Australia believes that a strong governance regime for our oceans is critical. We recognise that ensuring the conservation and sustainable use of marine resources is a key objective of having a strong ocean governance regime. For more than 40 years, UNCLOS has been a symbol for the successful development of international law and provided a comprehensive legal framework of law within which all activities in the oceans and seas must be carried out. UNCLOS and the institutions it establishes – including the International Seabed Authority - provide clarity, stability and predictability for ocean and maritime activities.

Australia celebrates the recent conclusion of the ambitious and comprehensive high seas biodiversity (or 'BBNJ') Agreement. Our commitment to this agreement was demonstrated through our membership of the High Ambition Coalition for BBNJ and our constructive engagement in negotiations. Australia also played a leading role to secure a global agreement to protect 30 per cent of the world's coastal and marine areas by 2030 as part of the Kunming-Montreal Global Biodiversity Framework. These critical global agreements come at a time where it is apparent that, now more than ever, we must work together to protect our oceans and marine environment.

We welcome the inclusion of indigenous voices here at the ISA. Australia recognises the importance of the connection of First Nations Australians to land and waters, and the unique knowledge and cultural practices they hold from being stewards of Australia's land and waters for more than 60,000 years. We emphasise the immense contribution Indigenous Peoples can make to addressing shared regional and global development challenges, including climate change and oceans health.

Australia acknowledges the considerable progress made during last year on the important work of developing the Rules, Regulations and procedures to govern exploitation of the mineral resources of the Area.

Last years' meetings showed the importance of ongoing elaboration and standardisation by the ISA of the rules, regulations and procedures to ensure the effective protection of the marine environment. We are just over halfway through this two-week meeting, but much progress has been made so far. We join with others in expressing our gratitude to the considerable efforts of the Facilitators of the Working Groups and the Secretariat in enabling the progress we have made to date. Australia supports the suggestions of continuing to work through the informal working groups, and that we should also work intersessionally and encourage informal discussions among delegations to resolve differences and reach consensus on issues on which there is still a divergence of views.

Australia considers that we should continue our collective efforts, in good faith, to complete the Exploitation Regulations using the remaining time available for this meeting and at the July meeting of the Council. We thank the delegation of Nauru for confirming again last week, that it has no intention of allowing its sponsored contractor, NORI, to submit an application for a plan of work for exploitation before the end of the July meeting of the Council – that is, after the expiration of the two year notice period on 9 July.

Australia also would like to take this opportunity to restate our position.

Although Australia does not sponsor any deep seabed mining activities, Australia wants clear, robust and effective Exploitation Regulations, including Standards and Guidelines, in place before any application for approval for a plan of work for exploitation is considered or provisionally approved. As we have stated previously, having clear rules and avoiding legal uncertainty is in everyone's interests.

The Exploitation Regulations must have robust provisions on the protection of the marine environment. In this and other forums, Australia is a strong advocate for protection of the marine

environment. Strong environmental protections are necessary in the Exploitation Regulations if we are to fulfil our obligations in UNCLOS to ensure effective protection of the marine environment, as we are required to do under Article 145 and under the Convention more generally. Strict regulations will ensure that resources are used sustainably and provide long-term benefits.

We also want to ensure there is a level playing field between deep seabed mineral producers and land-based mineral producers. The financial terms of contracts is one way of achieving this, but so too are robust environmental protections, given that Australia's land-based miners are subject to robust environmental rules. Australia wants to ensure that reasonable regard is paid by seabed miners to other uses of the marine environment, including submarine cables, and that mining activities can be conducted safely through robust provisions to protect human life and health, in accordance with Article 146.

Australia is committed to UNCLOS and to protecting the oceans and marine biodiversity. In the context of activities in the Area, these objectives can only be met if we have robust rules, regulations and procedures.

Australia urges all Members and observers to continue working collaboratively this week and at the July meeting of the Council to progress the development of strong and comprehensive regulations.

Thank you.