

## Section 1 DR 44 General Obligations

Thank you, Madame Facilitator. As this is the first time the Deep-Ocean Stewardship Initiative has been given the floor during this working group, please let us start by thanking you for your excellent work in guiding us through the process.

Regarding DR 44 Paragraph 1, DOSI wishes to remind the Council that effective protection of the Marine Environment *cannot* be ensured without adequate scientific baseline knowledge and understanding of the environments proposed for, and potential impacts of, mining, *regardless of whether regulations are in place*. Numerous scientific studies have reported that decadal-scale levels of research are needed to gather sufficient scientific knowledge to understand ecosystem baselines and possible impacts. **Taking this into account, DOSI strongly emphasizes the need for allowing enough time for robust, independent, marine scientific research to fill current knowledge gaps, reduce uncertainty, and enable evidence-based decision making before completing the regulations.**

Regarding paragraph 1(a), in section (iii), DOSI recommends that Traditional and Indigenous Knowledge should also be integrated in decision making, along with Best Available Scientific Knowledge. In section (v), DOSI supports the inclusion of Underwater Cultural Heritage in the regulatory framework. Further, we hope that the Council will explicitly include Intangible Cultural Heritage in the definition of Underwater Cultural Heritage to reflect the input we heard this morning from Indigenous leaders about how they view cultural heritage as connecting to their ancestors.

Regarding paragraph 1(c), DOSI strongly recommends edits to the final sentence which includes reference to restoration and offsetting. DOSI respectfully reminds the Council that there is *no scientific evidence* to support restoration or offsetting as viable mitigation strategies in the deep sea. On the contrary, available scientific evidence shows that harm caused to the deep-sea environment is **essentially permanent** with ecological restoration in the deep sea an impossible goal. With regard to Australia and South Africa's statements, we wish to reiterate that valid offset opportunities **do not** exist for deep-sea biodiversity and ecosystem services as "out-of-kind" offsets will not achieve No-Net-Loss. We recommend rewording the closing sentence to read "In doing so, the Enterprise and Contractors shall apply a priority order to avoid and minimize harm to the Marine Environment and adapt the necessary mitigation measures to newly obtained information and data."

DOSI wishes to underscore that other critical aspects of the Mining Code related to the environment are still yet to be developed, including overarching Strategic Environmental Goals and Objectives, the definition of 'serious harm' and associated adverse change, as well as specific criteria to operationalize, measure and monitor it, including appropriate threshold standards.

Finally, we also wish to take this opportunity to invite delegates to attend a DOSI-sponsored side event on Wednesday evening at 7PM at the Pegasus to learn more about the latest science of the deep sea and the potential impacts from deep-seabed mining.

Thank you, Madame Facilitator.