

DOSI Intervention regarding item 10: Draft Regulations on exploitation of mineral resources in the Area: Fourth meeting of the Informal Working Group on the Protection and Preservation of the Marine Environment

**DR 48bis vs ALT DR 48bis - testing mining
Delivered 21 March 2023**

Thank you, Madame Facilitator. The Deep-Ocean Stewardship Initiative strongly supports the inclusion of a regulation concerning test mining. Regarding the consideration of ALT DR 48bis, DOSI is concerned that the alternative version does not include the requirement for the test mining process to be assessed as part of the Environmental Impact Assessment described in DR 46bis. We believe that test mining should be subject to an Environmental Impact Assessment, an Environmental Impact Statement, and subsequent long-term monitoring plans, *before approval of an exploitation Plan of Work*. This would allow for test mining to test equipment and determine whether harm to the marine environment is avoided or minimized before approving or rejecting a Plan of Work, in case the procedures are not meeting the requirements. Therefore, DOSI recommends adding such provisions to DR48bis Paragraph 1 or Paragraph 3 of ALT DR 48bis.

Test mining, as the regulation states, is important in understanding the potential harmful effects of deep-sea mining to the marine environment. To ensure that these tests are effective in this regard, DOSI suggests adding the text to DR48bis or ALT DR48 paragraph 2 that effects of mining shall be monitored in both the water column and seafloor, and across all biological groups for which baseline data needs to be collected, as per the Standard for the Establishment of Baseline Environmental Data.

DOSI cautions the Council that the **long-term impacts** of mining and cumulative and synergistic impacts by multiple operations and non-mining related stressors will not be apparent on test-mining time and space scales. This includes the re-generation of nodules, the recovery and community composition of nodule-dependent fauna, and the recovery of natural sediment habitats - among other currently unknown impacts. Because of this, DOSI strongly raises concern on the inclusion of ALT DR48bis Paragraph 4 on the possibility that test mining does not have to be included in every project.

Thank you, Madame Facilitator.