

## **Discussion of the report of the Secretary General of ISA – And STATEMENT OF BELGIUM (ISA, JULY 2023)**

Mr. President,

Mr. Secretary General,

Excellencies and dear delegates,

Belgium would like to welcome Rwanda as a new member of the International Seabed Authority.

My delegation thanks the Secretary-General for this detailed report and wishes to congratulate him and his staff for their achievements.

The annual report provides a comprehensive overview and showcases the activities that the Secretariat pushes forward under the various programmes.

Pursuant to article 143 of UNCLOS, the ISA has the responsibility to promote the conduct of deep-sea research.

This mandate is translated in the Strategic Direction 4 (SD4) 'to promote and to encourage marine scientific research in the area'. Effective protection and sustainable use of the ocean rely on a thorough understanding of the state of the marine environment.

Under Strategic Direction 4, Belgium wishes to reiterate the importance of ISA Action Plan on marine scientific research in support of the UN Decade of Ocean Science for Sustainable Development.

Belgium has been making its best efforts supporting ISA in the implementation of the Action Plan on marine scientific research.

Belgian research institutes contribute to advancing the knowledge on deep-sea ecosystems such as on the topics of the assessment of deep-sea biodiversity and the occurrence of microplastics in the deep-sea.

Belgium would like to support all the initiatives taken by ISA regarding gender equality and women's empowerment.

Belgium was honored to welcome the Secretary-General in Brussels for a meeting with the competent Belgian Ministers in January. The main outcome was the engagement to further explore pathways to intensify the collaboration of Belgium and ISA to promote marine scientific research in the Area.

Belgium looks forward to continuing to engage with the ISA Secretariat to diversify and intensify Belgium's engagement.

Regarding the **last meeting of the Council**, Belgium also welcomes the 2 decisions adopted by the Council last Friday.

The first one concerned the **indicative timeline** whereby the Council expressed its **intention to continue the work on the exploitation regulations with a view to adopting them during the 30th session in 2025** and the remaining work would be reassessed at its meeting in 2024.

The second one related to the **understanding and application** of section 1, paragraph 15, of the Annex to the Agreement relating to the Implementation of Part XI of UNCLOS, **the so-called 'two year rule'**, including steps to be taken if an application for a plan of work for exploitation is submitted before the Council has completed the rules, regulations and procedures. The Council decided **to consider this, as a matter of priority, at its next meeting after the submission of the plan of work and prior to the Commission finalizing its review**. Belgium would like to thank the Council for having given it the opportunity to co-facilitate, together with Singapore, the intersessional dialogue on this matter during the last 6 months.

**Finally**, Mr. President, I would like to reiterate the official position of Belgium regarding deep sea mining. This position has been explained during the opening session of the Council in March 2023.

Mr. President,

As one of the trailblazers of the 'Blue Leaders'-initiative, Belgium highly welcomes the successful conclusion in March of the negotiations regarding the Treaty on the conservation and sustainable use of Marine Biological Diversity in areas Beyond National Jurisdiction (BBNJ). Reaching this milestone after nearly two decades of negotiations is a considerable achievement and will no doubt prove crucial in ensuring a better and adequate protection of the marine environment.

Belgium strives for consistency and coherence between what has been achieved in Montreal at UNCBD COP 15 with the Kunming-Montreal global biodiversity framework, in New York in the context of those BBNJ-negotiations and the negotiations on exploitation regulations here in Kingston.

Belgium is hereby convinced of the need **to uphold the provisions of UNCLOS, including article 145**, which states that *'necessary measures shall be taken in accordance with this Convention with respect to activities in the Area to ensure effective protection for the marine environment from harmful effects which may arise from such activities'*. The **precautionary principle** should therefore guide our work at all times.

During the last session of the ISA Council, some progress has been made on further finetuning the draft regulations on deep sea mining exploitation. It is Belgium's hope that in the following Council meeting in 2023 and beyond, **we will continue to work**

**constructively on the elaboration of the regulations and the accompanying standards and guidelines in a more structured and efficient manner than has been the case so far.**

Belgium hereby commits to continue to actively contribute to the negotiations of the Rules, Regulations and Procedures of the International Seabed Authority. The task ahead remains enormous.

Several working groups have, until now, not even progressed sufficiently to work with the text on the screen for discussion and adoption paragraph by paragraph. We hope that this will be the case in the future meetings.

In addition, many other issues are still under discussion and far from ready for adoption. The operationalisation of the Economic Planning Commission, the adoption of normative thresholds and standards and the establishment of regional environmental management plans are just some of them. Agreements on the royalty mechanism and benefit sharing arrangements are far from being reached either.

Mr President,

There have been many statements made over the last year and the last days.

Whether we call it a Conditional Moratorium, a Precautionary Pause, a Precautionary Break, a Precautionary Delay, we all want to encompass the same reality: **there can be no exploitation of the deep seabed without agreeing on a set of rules and regulations that ensure high environmental standards and a sound scientific knowledge, and that avoid any significant harm to ocean biodiversity and marine ecosystems.**

**We should not divide on labels but agree on conditions.**

As a Blue leader, it is the view of Belgium **that 3 conditions have to be in place cumulatively:**

- 1) The adoption of **robust, environmentally sound Rules, Regulations and Procedures**. The aim is hereby to reach an agreement on a regulatory framework that provides for the highest and most effective level of protection of the marine environment, including the fragile ecosystems and the global climate functions of the ocean from both short term and long term harmful effects which may arise from deep sea exploitation, based on the precautionary principle which, by its nature, does not allow for artificial deadlines by which time the regulations need to be finalised.
- 2) **More scientific independent research leading to sufficient and adequate scientific information** that allows for the establishment of a sound environmental baseline in order to achieve evidence-based decisions regarding the environmental impact of the activities.
- 3) Finally, Belgium would like to recall that the member states of the United Nations have committed to sustainably manage all areas beyond national

jurisdiction, and above all to protect at least 30% of the ocean by 2030. For Belgium, it is crystal clear: **30% of the ocean must be protected qualitatively before we can approve any plan of work for exploitation.**

**Upholding the precautionary principle, the start of any exploitation activity will need to be delayed until those conditions are met.**

I thank you for your attention, Mr. President.