



Intervention #19 - Item 14, LTC Report - Delivered by Patricia Esquete on 20/07/2023

Thank you Mr President,

(Me gustaría comenzar agradeciendo a CR su reconocimiento al trabajo y esfuerzo de los científicos. En efecto, la intención de los científicos formamos parte de DOSI no es otra que ayudar al consejo en la toma de decisiones).

The Deep-Ocean Stewardship Initiative wishes to thank and commend the Chair of the Legal and Technical Commission on the work of the Commission.

(Part II B)

DOSI is concerned about the statement that some contractors continue to fail to carry out their agreed exploration activities, and that this also seems to be largely without consequence. We note to the Council that without these exploration activities, the necessary environmental baseline data is not generated. We urge the Council to take action for these situations, which may require more detailed reporting from the LTC, so that the Council can discharge its duties under UNCLOS effectively.

With regards to contractor's requirement of reporting of data, DOSI notes that there continues to be a lack of data on interannual variability which is required under the regulations. DOSI notes that while crucial data are being collected and analyzed with regards to the impacts of mining tests, this has yet to be fully published, or shared in a way that can inform the ISA's ongoing negotiations. Such studies have also been concentrated on the seafloor. We are aware that no water column analyses that include organisms larger than microbes have been studied.

(Part III A)

With regard to the working groups for environmental threshold values, DOSI strongly encourages once again, and like other delegations, the LTC to increase the number of experts permitted in each subgroup, given the complexity of the issues, and the need to capture diverse expertise. We also encourage sufficient time to be allowed for careful and thorough work on these thresholds. In this regard, we would like to add an additional concern: Ideally, the working groups would be formed with leading experts in these topics, who will have to sacrifice time from their obligations or add working hours to already busy agendas to rush a process that needs careful scientific rigor with no additional remuneration. We wonder what leading experts we would miss out on if they cannot make this sacrifice. We further would like to remind the council that, as stated by the Netherlands, these three working groups are only the start of developing thresholds, and that more will be needed. For example, we will need thresholds on acceptable levels of habitat loss, biodiversity loss, and connectivity. Further subgroups may be identified in the process of establishing environmental threshold values. Without these thresholds, contractors and the LTC will not know whether states accept biodiversity loss from seabed mining. We want to be clear, present level of scientific knowledge tells us that seabed mining WILL result in biodiversity loss. That is certain. Given state's obligations under UNCLOS and the Convention on Biological Diversity, it is therefore important to have threshold limits on biodiversity factors.



When in place, thresholds will be an essential part of the regime, but will be challenging, if not impossible to develop in the current situation of data scarcity. We would also suggest that where there is scientific uncertainty, the thresholds must be set at highly precautionary levels - even at natural environmental baseline conditions. - DOSI would like to reiterate that bad thresholds would be a worse situation than no threshold at all. DOSI is a large global network of deep ocean scientists, and stands ready to assist on this.

(Part IV A)

While DOSI is encouraged to hear the ongoing work on developing REMP's, we would like to urgently see the standardized approach to REMP's finalized to assist with guiding such workshops

(Annex I)

Last, DOSI notes the report of the completion rates of several strategic directions, including direction 3 on the protection of the marine environment, and direction 9 on committing to transparency. With regards to direction 3, DOSI would like to know what items were included for this evaluation and specifically which are deemed to have been achieved. With regards to direction 9, we would like to remind the Council that the issue of transparency in the decision making of the LTC has been repeatedly questioned by many delegates and stakeholders, as well as the Council and Assembly.

Thank you, Mr President