

28.2 – Assemblée

- Mister President, Secretary-General, distinguished delegates,
- Let me start, Ambassador, with congratulating you on your election as President and I also congratulate the Vice-Presidents on their election. Our delegation thanks you, mister President, for guiding our discussions this week. We are confident that under your leadership we will be able to successfully conclude our work. We also take this opportunity to thank our host country, Jamaica, for the hospitality extended to us. We also wish to welcome the Republic of Rwanda as latest member of the Authority.
- Mr President, we thank the Secretary-General and his team for the annual report. The report provides a comprehensive and structured overview of the wide range of activities of the Authority, and the progress made in the various work streams. The annual report is also one of the tools for explaining the work that is done in the International Seabed Authority. In that context, we reiterate the importance of informing the broader public of our work, in particular at this time in which the interest continues to grow. We welcome the efforts made in relation to stakeholder engagement and public information and outreach and encourage the Secretariat to continue and enhance these efforts. We reiterate the importance of the ISA's online presence and the Authority continuing to broadcast live, on the ISA Web TV, the meetings of the Assembly and the Council, including the informal working groups of the Council on the various parts of the exploitation regulations.
- Mister President, in addressing the Assembly today, our delegation wishes also to speak to our national position in relation to the prospect of exploitation activities in the Area and the Authority's current work. My government has on 4 July 2023 communicated to the Parliament of the Netherlands its further elaborated position on deep sea mining.
- The Kingdom of the Netherlands takes the view that any future deep sea mining activities can only take place if clearly demonstrated to be strictly within the capacity of the marine ecosystem, ensuring the continued health and resilience of the oceans and their biodiversity. In this respect, it will be crucial to have adequate and sufficient scientific knowledge about how deep sea mining affects the marine environment and ecosystem of the deep sea.
- It requires a strict application of the precautionary principle, making sure that the effects of deep-sea mining on the marine environment and biodiversity have been sufficiently researched, the risks are understood and technologies and operational practices are able to demonstrate that the marine environment is not seriously harmed.
- On this basis, the Netherlands is committed to and actively engaging in the elaboration of a robust regulatory framework that provides for effective protection for the marine environment from harmful effects, firmly within the legal framework of the Convention and the 1994 Agreement.
- Mister President, the Kingdom of the Netherlands takes the view that, as scientific knowledge is still insufficient and inadequate and the work on the exploitation regulations is not complete, the Authority is not yet in a position to take the step from exploration to exploitation. In this context, the Netherlands supports further scientific research into the effects of exploitation on the marine environment of the deep sea and its climate and ecosystem functions.
- Furthermore, while the Netherlands finds itself substantively closely aligned with those positions expressing concern as to the uncertainties around the potential effects of exploitation activities on the marine environment, it is the choice of our government not to use a specific term or label in expressing our position. We acknowledge and welcome the comments made by Germany in that respect. At the current stage of our work in the Authority, we believe we should focus our time and efforts on agreeing on the necessary criteria and conditions in relation to exploitation, in particular as to the effective protection of the marine environment and robust scientific knowledge. We need to ensure that they become fully enshrined in the rules, regulations and procedures of the Authority. Only then will the Authority be in a position

to review applications for exploitation and take informed decisions.

- Mr President, the Netherlands is firmly committed to the Council's ongoing work. We note that Council continues to make progress on the regulatory framework. We greatly appreciate the work done by the facilitators in guiding us through the substantive discussions. At the same time, we also note that there are still various issues that require further work, in both the draft regulations and the draft standards and guidelines.
- In reflecting on the Council's work the past two weeks, we are pleased with the constructive spirit demonstrated in Council. This enabled agreement on the continuation of the work on the exploitation regulations with a view to adopting them during the 30th session in 2025, as well as agreement on providing more clarity on the situation in relation to the two-year rule.
- Mister President, we wish also to comment today on the recent adoption of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction: the BBNJ Agreement. The conclusion of the BBNJ Agreement has been a priority for the Kingdom of the Netherlands and we are very glad that the Agreement was adopted, by consensus, after almost two decades of multilateral work.
- We consider it important that the BBNJ Agreement swiftly enters into force and is universally ratified. In that context, I am happy to inform the Assembly that, on 14 July 2023, the Council of Ministers of the Kingdom of the Netherlands decided the Kingdom will sign the BBNJ Agreement on 20 September 2023. We will strive, following signature, to ratify the Agreement in a timely manner and call on other States to also make full efforts toward that end.
- The Kingdom of the Netherlands is convinced that the BBNJ framework will allow for consensual multilateral decision-making to ensure that the protection of the oceans will have the broadest possible support. To contribute and further strengthen holistic governance, and in particular the effective protection and preservation, of areas beyond national jurisdiction, the BBNJ Agreement will need to set up effective coordination and cooperation with other relevant international bodies and frameworks. This without undermining their mandates. The International Seabed Authority is one such relevant international organization. On the basis of the comprehensive regime of the Convention and 1994 Agreement, the International Seabed Authority is the organization through which States Parties to the Convention organize and control all mineral-resources-related activities in the Area for the benefit of humankind as a whole. As part of that mandate, the Authority has the responsibility to ensure the effective protection of the marine environment of the Area from harmful effects that may arise from deep-seabed related activities.
- We further recognize the existing practice and commitment of the Authority in cooperating with other relevant international organizations, including through forming strategic alliances and partnerships with sub-regional, regional and global organizations. We acknowledge in this respect the exchange between the ISA and OSPAR on REMPs and note the call for discussions on this matter in the Authority.
- Finally, Mister President, our delegation wishes to note that with the growing interest in the work of the Authority, also public scrutiny grows. It is incumbent on the Authority, and its members, to demonstrate our ability to effectively and responsibly discharge the mandate. The growing interest leads to robust discussions. This is inevitable and not something to be afraid of. On the contrary, it will enhance the quality of our work. We have no doubt that in this multilateral framework we will be able to continue to find solutions.
- In closing, I would like to express my delegation's appreciation to the Secretariat staff for their dedication and continued hard work. They are doing a great job.
- I thank you.