

Delivered on behalf of the Environmental Justice Foundation, WWF, Sustainable Oceans Alliance, The Oceans Foundation, Deep Sea Conservation Coalition and Greenpeace under agenda Item 10. Review on the progress of the regulations.

Thank you Mr Chairman

Dear delegates, we are taking the floor on behalf of the Environmental Justice Foundation, WWF, Sustainable Oceans Alliance, The Oceans Foundation, Deep Sea Conservation Coalition and Greenpeace.

After 8 days of Council meeting discussing mining regulations, we would like to emphasise that the attempt to rush the negotiation and adoption of the mining code that we are witnessing over the last couple of years is a fundamentally wrong approach to the work of this Authority.

There are too many unknowns about deep sea ecosystems, and deep sea biodiversity and the ecosystem services it provides are far too critical to just rush this process.

The sheer pace of meetings is already creating inequities among States, which struggle to attend too many sessions every year and process and respond to a phenomenal amount of information and documentation. The same can be said of observers. This process needs to be much more inclusive and respect the interest and capacity of states, including developing states, observers and other stakeholders and members of the public with an interest in these negotiations involving the common heritage of humankind.

Rushing these negotiations must also not be done at the expense of transparency. Transparency requires that observers not be excluded from further discussions - informal informals must not mean exclusion of transparency. This is about the common heritage of humankind.

In our view, the international community of States represented in this room is being pushed by the interests of a few and the use of a provision, the two-year rule, that is forcing the hand of the members of the Authority under the threat of unregulated mining.

The adoption of a mining code will not solve the two-year rule, nor can it provide effective protection of the marine environment. Mining contracts would be in place for many decades.

We urge states instead to step back, apply the precautionary principle and rethink this process that would pave the way for the start of a new extractive industry in one of the most intact environments on the planet, and focus instead on putting in place a moratorium or precautionary pause on deep sea mining. A moratorium is not an “alternative narrative”, as described by the Secretariat; it is the only responsible way for states to fulfil their obligations under the Law of the Sea Convention to effectively protect the marine environment and numerous international commitments and agreements to protect marine biodiversity.