



DOSI intervention #9

REMP Guiding question:

(b) How can legal consequences be imposed on the basis of REMPs, in particular concerning exploitation activities ? - Delivered by Samantha Robb on 27/03/2024

Thank you, Madam Facilitator

We apologise for taking the floor again, but following others, DOSI would also like to provide its brief comments on question (b) of the REMP guiding questions.

While DOSI does not wish to suggest the particular modalities for how to give REMPs legal effect, we want to make a comment to support the idea that some aspects of a REMP's content do need legal backing, given their importance for protecting the marine environment from the harmful effects of activities in the Area.

For example, the Clarion Clipperton Zone REMP designates a series of Areas of Particular Environmental Interest (or APEIs) which should not be mined or affected by mining impacts. As Council members are aware, there are also other REMPs currently being drafted that contain similar spatial management tools. The CCZ REMP, however, does not in itself ensure that APEIs will remain untouched and so another measure from the Council would be required to ensure this. Currently, we are aware that there is a Council decision that the APEIs should not be impacted, but we understand that this is only a temporary measure. Recognising APEIs, and other area-based management tools that may be designated under future REMPs, in the Regulations, and specifying the terms of their protected status, would give them the clear, enforceable and long-term effect that is required for the ISA to see APEIs and any future area-based management tools deliver on their environmental objectives in a meaningful way. We therefore consider it sensible that the Regulations would recognise such measures and set legally binding obligations upon both contractors and ISA organs to ensure protected areas are indeed protected.

Thank you.