



Intervention agenda item 20. Report of the Secretary-General on incidents in the NORI-D contract area

Thank you Mr. President,

Good afternoon dear state delegates, as this is the first time the Environmental Justice Foundation has taken the floor, we would like to thank our host country Jamaica, and the Secretariat, for their kind assistance and warm hospitality.

Non-governmental organizations serve as a vitally important voice for both our planet's fragile ecosystems and the welfare of its inhabitants. Peaceful Protest, is a cornerstone of democracy, empowering civil society, including NGOs to raise awareness, challenge injustices, and catalyze action for the betterment of both our environment and society.

It is in that context that EJF wants to express our support for the Greenpeace protest as entirely and demonstrably legitimate - just as it was judged to be in the court of the relevant flag state.

Legal experts and two UN Special Rapporteurs on the issue of human rights have expressed serious doubts on the legal basis to request the establishment of a 500-meter exclusion zone in these circumstances, not least as expressed by the Judiciary in Amsterdam as well as the Dutch Human Environment and Transport Inspectorate. We note our concern and formal objection to any such attempt to constrain legitimate peaceful protest and the attempt to leverage a faulty legal analysis as the justification to do so.

We call on Council members to reject proposals to establish these exclusion zones around ships, as this is inconsistent under UNCLOS and interferes with fundamental human rights, including the right to protest.

We take this opportunity to note other actions that limit civil society participation by restricting journalist access, meeting behind closed doors, or moving into informal informals and we highlight, with serious and growing concern, the pressing need to enhance far wider public consultation and participation, welcoming legitimate, peaceful protest.

The protest in question, while undertaken by one organisation, reflects the concerns of a much larger, diverse, group of stakeholders: Many of the world's largest businesses



including BMW, Samsung and Google advocate for a moratorium in deep-sea mining as do financial institutions, fishing organizations, supranational entities like the European Parliament and the Convention on Migratory Species. Scientists, indigenous communities, environmental organizations and millions of signatories to petitions calling to stop deep-sea mining. Alongside these and many others stand a growing list of States that have made clear their concerns and call for either a moratorium, pause or ban.

Freedom of expression and the right to protest are fundamental human rights enshrined in Article 20 of the Universal Declaration of Human Rights and also covered by article 87 of the Convention. The Environmental Justice Foundation urges all parties to respect and uphold these rights.

Echoing the call from our colleagues at Greenpeace, we urge all ISA-member states to stop-deep sea mining in order to prevent vast, potentially irreversible harm to the marine environment and uphold Article 145 of the Convention.

Thank you.