



Statement by Mr. Michael Lodge, Secretary-General of the International Seabed Authority.

Intergovernmental Conference on an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

Friday 07 September 2018

Measures such as area-based management tools, including marine protected areas.

Madam Facilitator,

Allow me to congratulate for your appointment as Facilitator of this topic. I wish also express my appreciation to all delegations who have referred to the work of the International Seabed Authority.

Madam Facilitator,

The fundamental principle of the regime for the international seabed Area as set out in Part XI and the 1994 Agreement is that there can be no exploration or exploitation for mineral resources in the Area except under contract to the international community as a whole through the International Seabed Authority.

In this sense, the designation of the Area and its resources as the common heritage of mankind pursuant to Part XI already constitutes the most effective area-based management tool under the Convention. The whole of the Area is closed, except as permitted through the transparent and inclusive decision-making mechanisms provided for under the Convention.

Of course, only a very small part of the Area – less than 1 per cent – is subject to mineral exploration, and even less will be subject to exploitation. The Convention therefore provides the Authority with additional enabling provisions and competences to ensure effective protection for the marine environment as a whole, including its biodiversity, from the impacts of deep sea mining.

These competences have been interpreted broadly and creatively by the Authority.

Thus, in 2012, using its broad powers under article 162 of the Convention, the Council adopted the first regional-scale environmental management plan for the manganese nodule province in the Clarion-Clipperton Zone. This plan, which explicitly adopts the precautionary approach and ecosystem-based management, included the designation of nine Areas of Particular Environmental Interest (APEIs), each 160,000 square kilometres in size. In

identifying these areas, the Authority also took into account, so far as relevant, scientific and technical guidance available from CBD processes. These APEIs, which are fully protected from mining, are intended to be representative of the full range of habitats, biodiversity and ecosystem structure and functions within the Clarion-Clipperton Zone.

Earlier this year, the Council of the Authority endorsed a strategy for the development of further regional environmental management plans, which we now refer to as REMPs, in a number of priority areas where mineral exploration is taking place. These include: the Mid-Atlantic Ridge, the Indian Ocean triple junction ridge and nodule-bearing province, as well as the North West Pacific and South Atlantic.

I am pleased to announce that this programme has been allocated with funding in the context of the 2019-2020 budget of the Authority and that a number of member States have also come forward with important financial and in-kind contributions to support the project.

In May 2018, China Ocean Mineral Research and Development Association, the Ministry of Natural Resources of China and the Second Institute of Oceanography of China, supported that Authority in holding a workshop in Qingdao aimed at establishing a REMP for the so-called Triangle Area in the North West Pacific for cobalt-rich ferromanganese crusts. The main outcome of the workshop was a roadmap of activities for the design, creation and implementation of a REMP by 2020.

In June 2018, in collaboration with the Interoceanmetal Joint Organization, the Authority convened a workshop in Szczecin, Poland, to develop a framework for REMPs for polymetallic sulphide deposits on mid-ocean ridges.

I am very pleased to announce that, in taking forward the road map developed at the Poland workshop, the Authority will be partnering with the European Commission in a project which will facilitate the development and establishment of a REMP for the Mid-Atlantic Ridge.

Madame Facilitator,

The establishment of REMPs, as well as the identification and designation of APEIs, is neither simple nor inexpensive.

First, the entire process is data dependent. The providers of data in this remote area are mainly contractors who are required to submit it to the Authority. Effective implementation of obligations for standardized reporting of scientific data and results, as well as environmental baselines and monitoring programmes are essential.

Second, since these processes take place in the Area, full participation of all interested States, including developing States located in or adjacent to each region is essential and adequate funding should be allowed for this purpose.

Third, ABMTs cannot be established using a one size fits all approach. The Authority's experience shows that measures are best developed by those bodies that have the

specialized competence for this purpose. In the case of the Area, this is the Authority. Additional measures that duplicate, overlap or conflict with the measures taken pursuant to Part XI and the 1994 Agreement run the risk of undermining the careful balance of competences established in the Convention. That is not to say that cooperation between competence organizations should not be encouraged. Indeed, by way of illustration, the Authority is already cooperating effectively with a number of global and regional organizations, including IMO, IOC-UNESCO, CBD, OSPAR, NEAFC, NAFO and the ICPC.

Madam Facilitator,

In closing, I wish to announce that on 14 September, the Authority is co-organizing a side event together with the Government of China and COMRA on the development of REMP's with particular focus on the outcomes of the Qingdao workshop that I mentioned previously in this intervention. You are all welcome to attend.