

SCIENTIFIC COUNCIL COMMENTS
(arising from ScC-SC6)

DEEP-SEA MINING

UNEP/CMS/COP14/Doc.27.2.4
(ScC-SC6 Agenda Item 9.2.4)

RECOMMENDATIONS TO COP14

ScC-SC6 recommended the Resolution and the Decisions for adoption, with proposed amendments set out below.

GENERAL COMMENTS ON THE DOCUMENT

- A very contemporary, comprehensive, and coherent document, compatible with other fora.
- It should be noted that DSM also has potentially serious impacts on the carbon cycle and climate change by releasing carbon stored in deep sea sediments and disrupting the processes which help sequester carbon and deliver it to those sediments.
- It was noted that the International Whaling Commission (IWC) has an Intersessional Correspondence Group on deep-sea mining, which will report back to IWC SC in 2024, and transmit the report to the CMS Secretariat as well.
- General approach suggested for new and emerging issues: Secretariat to organize a webinar for the SC in the intersessional period.

COMMENTS ON SPECIFIC SECTIONS/ INCLUDING POSSIBLE PROPOSALS FOR TEXT REVISION

Page 2, para. 5: It was noted that the Agreement under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction has now been adopted, and therefore text “currently under negotiation” and “draft” should be removed.

Draft Resolution

- Page 7, add a new para. after the 6th preambular paragraph:

Noting Decision 15/24 of the Conference of the Parties to Convention on Biological Diversity on the Conservation and sustainable use of marine and coastal biodiversity, which, ~~inter alia~~ encourages Parties to ensure that the operation practices for mineral exploitation do not cause harmful effects to the marine environment and biodiversity, “encourages Parties and invites other Governments to ensure that, before deep seabed mineral exploitation activities take place, the impacts on the marine environment and biodiversity are sufficiently researched and the risks understood, the technologies and operational practices do not cause harmful effects to the marine environment and biodiversity, and appropriate rules, regulations and procedures are put in place by the International Seabed Authority, in accordance with the best available science

and the traditional knowledge of indigenous peoples and local communities with their free, prior and informed consent, and the precautionary and ecosystem approaches, and consistent with United Nations Convention on the Law of the Sea and other relevant international law”

- Page 7, amend the last preambular para. to the draft Resolution:

Noting that the International Seabed Authority (ISA), established in 1982 under UNCLOS, is the organization through which State Parties to UNCLOS organize and control all mineral resources-related activities, and *further noting* that ISA regulates exploration for and exploitation of deep seabed minerals found beyond the limits of national jurisdiction, and has the mandate to ensure the effective protection of the marine environment from harmful effects that may arise from deep seabed-related activities,

- Page 8, amend OP. 3:

3. *Urges* Parties not to engage in deep-sea mining until sufficient and robust scientific information has been obtained to make informed decisions as to whether deep-sea mining and related activities do not cause harmful effects~~can be undertaken without significant damage~~ to the marine environment and its unique fauna, and if so, under what conditions;

- Page 8, remove the square brackets from OP. 4, as per note made above to para. 5 on page 2.