

ADDENDUM 1**SCIENTIFIC COUNCIL COMMENTS**

(arising from ScC-SC8)

DEEP-SEA MINING**UNEP/CMS/COP15/Doc.25.2.3**

(ScC-SC8 Agenda item 8.2.3)

GENERAL COMMENTS ON THE DOCUMENT

The Sessional Committee found the report *Impacts of Deep-sea Mining on Migratory Species: Review and Knowledge Gaps* (Annex 1) useful and noted the consultant had done a thorough job in his review. They agreed this is an emerging threat to migratory species, and that new science is coming out all the time making this a rapidly evolving issue.

The COP-appointed Councillor for Marine Fish flagged that the content of this document and its conclusions align closely with new findings published in a very recent peer-reviewed publication (Judah et al. 2025) on the vulnerability of sharks, rays, and chimaeras to deep-sea mining. This recent analysis identified at least 30 shark, ray and chimaera species overlapping with proposed deep-sea mining areas, nearly two-thirds of which are already threatened with extinction, and highlighted risks from both benthic disturbance that include nursery and egg-laying grounds and impacts of midwater discharge plumes that may affect CMS and Sharks MOU listed species. These results reinforce the conclusion in the CMS document, that deep-sea mining poses emerging risks to migratory species and that significant knowledge gaps remain. The Councillor agreed with the emphasis on precaution, data collection, and the need for a precautionary approach.

The COP-appointed Councillor for Marine Pollution highlighted the precautionary point on page 1 of the report: "Given the current gaps in scientific understanding of how deep-sea mining may affect migratory species, a precautionary approach is essential. In the absence of comprehensive knowledge, precaution ensures that environmental integrity is prioritized, safeguarding species whose life cycles and habitats remain only partially understood." The Councillor suggested that the consultant be encouraged to publish the paper.

One SC member, whilst welcoming the report, thought it would be valuable for the ScC to conduct a peer review. The Secretariat pointed out that a peer-review by competent experts (listed in Annex 1) had taken place. As this was already a COP-document, the report itself would not be open for edits, but the SC was welcome to provide feedback on it.

Several observers (OceanCare, WWF, DSCC, WCS) viewed the recommendations regarding mitigation actions (in Annex 2) as premature and not aligned with Resolution 14.6. They noted that while the expert report contains many constructive elements, mitigation is only meaningful when risks are understood and manageable, but the current scientific landscape clearly shows that we are far from this point. Making recommendations for mitigation that don't and can't take account of the full suite of potential risks to migratory species would be premature.

RECOMMENDATIONS TO COP15

The Scientific Council recommends to:

- Note the report in Annex 1;
- Adopt the recommendations listed below; and
- Adopt the draft Decisions with the proposed changes listed below.

COMMENTS ON SPECIFIC SECTIONS/ INCLUDING POSSIBLE PROPOSALS FOR TEXT REVISION

The following text is proposed to replace the recommendation text in Annex 2 (pages 6-7 of the document):

1. Parties are urged not to engage in, or support, deep-seabed mineral exploitation activities until sufficient and robust scientific information has been obtained to ensure that deep-seabed mineral exploitation activities do not cause harmful effects to migratory species, their prey and their ecosystems.
2. CMS Parties should ensure that all decisions concerning deep-seabed mining are consistent with their CMS obligations¹ to conserve migratory species across their range and to prevent activities that may impact their conservation status.
3. CMS Parties should facilitate further research of marine mammals, seabirds, sea turtles, sharks and rays, bony fishes, and other migratory species, to better understand how the presence of mining vessels impacts animal migration and behaviour.

The following amendments are proposed in draft Decision 15.AA (page 8 of the document):

The Parties are encouraged to:

- a) ~~apply note the recommendations contained in *Impacts of Deep-sea Mining on Migratory Species: Review and Knowledge Gaps*, which are available in Annex 2 of UNEP/CMS/COP15/Doc.25.2.3, but apply the recommendations from the Scientific Council above; and~~
- b) disseminate the *Impacts of Deep-sea Mining on Migratory Species: Review and Knowledge Gaps* to all national departments involved in deciding on deep-sea mining activities, ~~and encourage the application of the recommendations; and~~
- c) ~~report to the Conference of Parties at its 16th meeting on the progress in implementing these Decisions.~~

The following amendments are proposed in draft Decision 15.BB (page 8 of the document):

The Scientific Council is requested to, subject to the availability of resources, ~~develop such collaborate with the International Seabed Authority (ISA) to share expertise, and contribute to the development of~~ EIA guidance ~~as may be required, which being developed by the ISA, to ensure it~~ considers the impacts of deep-seabed mineral exploitation activities on migratory species, their prey and their ecosystems.

¹¹ Including CMS Article II (1) and Article III (4), UNEP/CMS/Resolution 14.6 *Deep-Seabed Mineral Exploitation Activities and Migratory Species*, UNEP/CMS/Resolution 14.16 *Ecological Connectivity*, UNEP/CMS/Resolution 12.21 (Rev.COP14) *Climate Change and Migratory Species*