

# IUCN Key messages

## Twenty-eighth session of the Council (Part II) and the Assembly of the International Seabed Authority (ISA)

Kingston, Jamaica

Council: 10 - 21 July; Assembly: 24 - 28 July 2023

### General remarks

In line with its [Resolution 122](#), IUCN urges ISA Member States to uphold a moratorium on deep-sea mining unless and until:

- the risks of mining are comprehensively understood and effective protection can be ensured;
- rigorous and transparent impact assessments are conducted based on comprehensive baseline studies;
- the Precautionary Principle and the 'Polluter Pays Principle' are implemented;
- policies incorporating circular economy principles to reuse and recycle minerals have been developed and implemented;
- mechanisms are in place to consult with the public throughout decision-making; and
- the governance of deep-sea mining is transparent, accountable, inclusive, effective and environmentally responsible.

IUCN further stresses that scientific research strongly indicates that these conditions have not yet been met. For example, a [recent study](#) from the mining industry association SystExt (Systèmes Extractifs et Environnements) concluded that:

- the technical and economic viability of seabed mining remains controversial;
- the risks, known and widely documented, are not acceptable;
- impacts cannot be assessed, managed or compensated;
- regulations are largely insufficient; and
- there is a need for a moratorium on deep-sea mining.

IUCN welcomes the growing movement from civil society actions and demonstrations on promoting a moratorium, as well as States and private companies which have already taken positions against such activities in international waters. IUCN exhorts other stakeholders to join the call for a ban, pause or moratorium on deep-sea mining as soon as possible.

IUCN would like to recall that under the United Nations Convention on the Law of the Sea (UNCLOS), the seabed beyond national jurisdiction (the Area) and its mineral resources are the *common heritage of humankind*. This means they must be managed on behalf of and in the interests of all humanity, including through the sharing of economic benefits, support for marine scientific research, and the effective protection of the marine environment. As of today, there is no guarantee that those requirements will be met by those with interests in deep seabed exploitation.

In spite of the fact that the "two-year rule" deadline invoked by Nauru will expire on 9th July 2023, the day before the Council starts, IUCN would like to reaffirm that ISA Member States still retain the power to delay or postpone the commencement of mining activities, as demonstrated in a recent [comprehensive analysis](#) of the issue by a member of IUCN's World Commission on Environmental Law (WCEL).

Finally, as the second part of the 28<sup>th</sup> session of the ISA Council and Assembly is set to open on 10<sup>th</sup> July, IUCN invites participants to negotiate with the recent adoption of the

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Agreement 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 (High Seas Biodiversity Treaty) in mind, whose interactions with the ISA legal framework will be key in maintaining ocean and planetary health.