

DOSI intervention #8

REMP Guiding question:

(a) How should the Contractors' Environmental Management and Monitoring Plan and Environmental Management System be coordinated with the relevant REMF? - Delivered by Patricia Esquete on 27/03/2024

Thank you, Madam Facilitator

From a scientific perspective, it is essential that contractors take into account the relevant REMF when designing their EMMP. We have already made an intervention this session, seeking to point out how hard it is to take scientific decisions aimed toward the 'effective protection of the marine environment' without policy direction from the ISA that clarifies how that legal duty should be operationalised. The same point applies here. The EMMP is the essential part of a contract for setting limits on what environmental impacts a contractor is permitted or prohibited from causing. REMFs are an essential method for the ISA to set a policy framework and strategic and regional objectives that will govern the content of the EMMP.

In particular, the REMF should inform contractor decisions about location, size and habitat composition of their Preservation Reference Zones (or PRZs). As Council members will be aware, PRZs are control sites that serve an important purpose in the monitoring regime to show baseline conditions that can be compared with Impact Reference Zones (or IRZs) to help monitor and measure the impacts caused by mining. But PRZs can also serve an additional function: they can provide stepping stones, allowing faunal communities from one preservation zone to travel to another preservation zone. This serves to supplement other no-mining areas established by the ISA like the Areas of Particular Environmental Interest (APEIs) implemented in the CCZ REMF. For this to be effective, the size, location and configuration of the PRZs must take into account the REMF and the measures that the REMF puts in place. For the same reason, the EMMP should take into account not only the temporal variability of the environmental conditions and faunal communities within contract areas but also that of the areas protected by the REMF. This would contribute to guaranteeing the effectiveness of the REMF by assisting with ensuring connectivity between protected areas and throughout the region.