

German Environment Agency

**Umwelt
Bundesamt** 

Regional Environmental Management Plans for Deep Seabed Mining
A policy perspective

The Submissions of 2020 by Germany and the Netherlands – co-sponsored by Costa Rica and the Netherlands

Dr. Harald Ginzky, German Environment Agency

Content

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Political Context

- ISA: three main purposes
 - Promotion of mining
 - Protection of marine environment
 - International justice through benefit sharing
- About 30 exploration projects
- Announcement for exploitation
- Work on Exploitation regulations since 2017
- Ongoing development of specific REMPs: workshops conducted inter alia on
 - Mid atlantic ridge
 - Pacific Triangle
 - Further priority areas

Germany/ Netherland's intention and ambition – sponsored by Costa Rica

- Standardization of contents and procedure for each REMP
- Better (sufficient) environment performance

Regional Environmental Management Plans

- Regional Environmental Management Plans
 - Strategic Plan
 - Approval regime for Exploration and Exploitation
 - In between: Regional Planning concerning „region specific issues“ concerning the marine environment

REMP: the added value

- Region-specific consideration, not only project related
 - Regional specificities
 - Cumulative effects
 - Conflicts with other legitimate uses
 - Carrying capacity of a region
 - Medium and long-term perspective
- Involvement of other international bodies
- Long term planning reliability for contractors
 - Level Playing field

REMP – agreements by 2019: Strategic Plan and Draft Exploitation Regs

- Strategic Plan: Essential tool for protection of marine environment
- DR 2: Provide for environmental protection .. „in accordance the ISA environmental policy, including REMPs“
- DR 47: EIA „in accordance with ... relevant REMP“
- DR 48: EMMP „in accordance with ... relevant REMP“
- Annex VIII, 1: Closure plan „in accordance with ... relevant REMP“

REMP: Unsolved issues

- Obligation to have adopted REMP before exploitation may take place ?
- Legal force of REMP for approval of exploitation projects ?
- Standardized approach
 - Minimum contents of each future REMP
 - Responsibilities and procedures for development, approval and review
 - Involvement of stakeholder, science and contractors
- Conceptual solutions proposed by the two submissions in 2020

Preparatory work towards the submission

- The existing work until 2019
 - CCZ EMP: strengths and weaknesses
 - Recent documents by the ISA Secretariat: ISBA/25/C/4 and ISBA/25/13: Roadmap for REMP development
 - Report of the Berlin Workshop 2017: technical study No. 17
 - Research study commissioned by UBA
 - Authors: IASS team (ia: Pradeep Singh)
 - Hamburg workshop in November 2019 – Wini, Tom, Sabine Gollner, Pradeep, Sabine Christiansen, Hannah Lily (Pew)
 - 4 Days discussions based on draft concept notes
 - More than 80 Participants: Council members, scientists, lawyers, contractors, civil society
 - Good regional representation
 - Workshop report
- See: <https://www.umweltbundesamt.de/international-workshop-remp-hamburg-nov-2019>

Submission ISBA/26/C/7: template – minimum requirements

- Structure of Template
 1. Purpose
 2. Overarching goals
 3. Principles
 4. Technical and scientific information
 - Information needed and assessment
 5. Established Area-based management tools
 6. Scenarios for mining activities and forecast of possible effects at the regional level
 7. Region-specific objectives, targets and indicators
 8. Management measures
 - Area-based management, designation of mining areas, temporal and seasonal restrictions, restrictions of effects on specific biota, conflicts with other legitimate uses, enhancing knowledge and cooperation, monitoring
- No 1 to 3 standard text, No 4 to 8 to be filled out specifically
- Minimum requirements for all future REMP
 - Quality and consistency

Submission ISBA/26/C/6: procedure for development, approval and review

- REMPs for all area under considerations required
- Council: responsible to initiate development and approval of REMP
- Establishment of expert committee for each REMP
 - Steering task
 - 5 to 7 members: specific expertise
- First draft of REMP
 - Compliance with minimum requirements according to ISBA/26/C/7
 - Drafting Workshops
 - Involving relevant experts and stakeholders after mapping

Submission ISBA/26/C/6: procedure for development, approval and review

- LTC consideration and recommendation
 - After formal stakeholder consultation (90 days)
- Adoption by Council
 - Potentially: amendments of draft to be requested
- Continuous Review
 - Annual report by expert committee
 - Holistic review every five years

What happened then ?

- **IMPORTANT:** Guidance Document to facilitate the development of REMP by ISA Secretariat
 - Not that strict and ambitious
 - Less procedural requirements
- Suggestion in submission:
 - Council accepts both the template – minimum requirements and procedure as future legally binding standards for all future REMP

What happened then ?

- Decision in February 2020
 - LTC should revise Guidance taking into account the two submissions
- December 2021
 - No new information by LTC or Secretariat
 - Still under consideration
- Recent developments
 - Work on specific REMP – Mid atlantic ridge – REMP
- Potential consequence
 - Revision of each REMP potentially required when agreement on contents and procedure is achieved
 - Council will have to decide

Excursus: Potential ISA role in the potential case of a moratorium

- Possible scenario: Political agreement on Moratorium
 - Support by several global economic players, ia. Philips, Samsung, Google, Microsoft, Volvo, BMW
 - Support by more than 600 scientist: independent scientific view
 - Support by a few countries – under debate
- Moratorium
 - Legally possible, due to Article 145 UNCLOS
 - No effective protection, no mining
 - Moratorium
 - No ban
 - Pause under certain conditions

Excursus: Potential ISA role in the potential case of a moratorium

- ISA role
 - Benefits for the society and for the entity
 - Other priorities needed
 - Support to sustainability, transformation, environmental justice and climate neutrality
- Potential topics
 - Marine science research for potential uses
 - Circular economy for mineral resources

Thank you for your attention!

Dr. Harald Ginzky

German Environment Agency

Section II 2.1 - General Aspects of Water and Soil

Wörlitzer Platz 1

06844 Dessau - Germany

phone: +49 340 2103 2373

fax: +49 340 2104 2373

mail: harald.ginzky@uba.de

www.umweltbundesamt.de