



Deep Sea Conservation Coalition Statement on the Adoption of the High Seas Biodiversity Treaty

20 June 2023

We welcome the adoption of the Agreement and thank you Madame President and the many States and stakeholders and DOALOS for years of effort which brought us to this day.

This historic new Treaty will enable and enhance the protection of biodiversity in the high seas and the deep ocean, the largest living space on our planet.

The Treaty draws a line in the sand and demonstrates the commitment of governments to protect and prioritize the health of our ocean by acting individually and collectively “as stewards of the ocean in areas beyond national jurisdiction”.

Like the UN Secretary General and many of the delegates that have spoken, we too urge States to expedite signature and ratification of the Agreement and to ask the UN General Assembly to establish a Preparatory Commission to pave the way towards early and effective implementation.

In the meantime, however, we wish to emphasize that the degradation of deep-sea ecosystems and loss of biodiversity in ABNJ that [scientists have warned](#) would be caused by deep-sea mining if permitted to occur and the adverse impacts of deep-sea bottom fishing currently taking place in areas beyond national jurisdiction, in particular as a result of bottom trawling on seamounts and oceanic ridge systems, are incompatible with these commitments.

Distinguished delegates, the momentum against deep-sea mining is growing. Alongside opposition from the [private sector](#), [scientists](#), [civil society](#) and the [fishing industry](#), **a number of States are calling for a moratorium or precautionary pause** on the impending advance of this highly damaging speculative extractive industry. However, due to the provision in the 1994 amendments to Part XI of UNCLOS known as “the two-year rule” or “loophole”, that expires in July, commercial applications for **deep-sea mining could be approved by the Council of the ISA before the end of this year** - despite the many scientific gaps and the widely acknowledged lack of safeguards for the marine environment.

The Deep Sea Conservation Coalition (DSCC) calls on all Parties to UNCLOS, as member States of the Council and/or Assembly of the International Seabed Authority, to ensure that deep-sea mining does not take place in ABNJ unless and until there is sufficient scientific information to assess the potential risks and the ISA can ensure that the marine environment will be effectively protected from harmful effects, that harm to, or loss of, biodiversity will not occur, and the

structures and functioning of the ISA are consistent with modern international legal norms and requirements.

On the issue of deep-sea fishing on the high seas it is important to recognize that States are already bound to protect biodiversity in areas beyond national jurisdiction from the damaging impacts of deep-sea bottom fishing pursuant to the commitments made through the series of Sustainable Fisheries resolutions adopted by the UN General Assembly since 2004. The DSCC is calling for an end to bottom trawling on seamounts and similar deep ocean topographical structures to protect vulnerable marine ecosystems and the biodiversity they contain. We call on all States to urgently deliver on commitments and legal obligations to manage high seas fisheries to prevent damage to deep-sea biodiversity and, in so doing, help pave the way for successful implementation of the BBNJ Agreement.

We all depend on a healthy deep sea and the services it provides to humanity, including critical carbon sequestration services. If governments continue to permit destructive fishing activities or open whole new frontiers of resource extraction leading to biodiversity loss in the open ocean and deep-sea beyond areas of national jurisdiction, this will surely risk undermining the progress we are celebrating today with the adoption of this landmark Agreement as well as other international commitments to halt and reverse biodiversity loss and tackle the climate crisis.