



Twenty-eighth meeting of the Working Group of the Parties to the Aarhus Convention

Agenda item 5: Thematic session on the promotion of the principles of the Convention in international forums

July 2024

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Thank you, Chair.

OHCHR has been following the process at the International Seabed Authority (ISA) where States are negotiating the Draft Regulations on commercial exploitation of minerals on the seabed.

We are concerned about the foreseeable negative environmental and human rights impacts from deep seabed exploitation of so-called transition minerals. We are also concerned about potential impacts of ongoing exploration practices.

The seabed beyond national jurisdiction is the common heritage of humankind, because of their role in producing half of the oxygen we breath, and regulating the global climate.

There is growing scientific evidence that deep-sea mining will irreversibly damage it. The combined potential impacts from mining and other stressors on the marine environment (such as climate change, unsustainable fishing, biodiversity loss and pollution) could be catastrophic.

The impacts of deep seabed mining could bring about direct and indirect consequences for communities and livelihoods that depend on these ecosystems for their survival and subsistence impacting the rights to work and life. The negative impacts of oceanic degradation in all its forms are particularly acute for Indigenous Peoples, subsistence fishers and persons living in small island developing States.

States have an obligation to ensure the rights of people come before economic interests, and in doing so prevent foreseeable harm to the environment and human rights, particularly in making decisions that will have intergenerational repercussions.

Everyone's right to access information, public participation and access to justice, protected under the Aarhus Convention, must be effectively protected before permitting deep-sea mineral extraction, including the free, prior, and informed consent of Indigenous Peoples. But there are several limitations to transparency and inclusivity at the moment at the ISA; and a complete lack of accountability framework for the ISA and for businesses engaged in these activities.

There is also an urgent need to respect the right to peaceful protest and prohibits the criminalization or harassment of anyone seeking to protect their right to live in a healthy environment at the ISA and in relation to deep-seabed mining.

Yet, the Draft regulations do not include any mention of human rights. And State members of the ISA rarely discuss the human rights implications of the ISA mandate in that forum.

We encourage Aarhus Convention members to champion the application of the Almaty Guidelines at the ISA.

I thank you.