

INTERVENTION BY SINGAPORE ON THE DRAFT REGULATIONS FOR EXPLOITATION OF MINERAL RESOURCES IN THE AREA (COUNCIL AGENDA ITEM 15 – MONDAY, 14 AUGUST 2017)

Mr President,

1 My delegation would like to express our deep appreciation to the Secretariat for the preparation of the Draft Regulations and its note contained in ISBA/23/C/12 setting out the invitation for stakeholder responses to the Draft Regulations. Singapore fully intends to provide its responses within the timeframe set out by the Secretariat. Nevertheless, we would like to take this opportunity to make a few preliminary comments regarding the development of the Draft Regulations. These relate to three aspects, namely, the structure of the Draft Regulations, the need for broad participation by stakeholders, and the roadmap for the development of the Draft Regulations.

2 First, in relation to the structure of the Draft Regulations, we had, in our comments on the Draft Regulations in this Council last year, asked that the possibility of a single, consolidated set of regulations, incorporating environmental provisions, not be ruled out. We are therefore pleased to note that the latest version of the Draft Regulations does exactly that. In our view, a single, consolidated set of regulations lends coherence to the regulatory framework, making clear what is expected of applicants and contractors. We note that some material from the Discussion Paper on the development of the environmental regulations issued by the Secretariat in January 2017 may not have been incorporated into the consolidated regulations. Nevertheless, this material may still remain useful in the future development of recommendations or guidelines for contractors in the exploitation phase.

3 Second, the stakeholder comments on the first working draft of the regulations in 2016 demonstrate that there are a wide variety of interests in relation to the potential exploitation of deep sea mineral resources. It is vital that the various interests are taken into account and that the Draft Regulations reflect an appropriate balance of these interests, while maintaining consistency with international law and ensuring a level playing field for all applicants and contractors. Therefore, broad stakeholder participation in the development of the Draft Regulations is important and in this context, we have two points to make.

4 The first point is that we understand that there is on-going inter-sessional work in the form of workshops and working groups. We agree with comments made in this Council last week as to broad participation in such inter-sessional work. However, we recognise that there may be constraints in accommodating everyone and further consideration may have to be given as to how the outputs of such inter-sessional work may be folded into the work of developing the Draft Regulations by the LTC and the Council.

5 The second point in relation to broad stakeholder participation is that we note that in the stakeholder consultation exercise held last year, only six member States, including Singapore, responded. Singapore urges member States, particularly member States which are members of the Council, to participate in the upcoming stakeholder consultation exercise. In particular, it would be useful to respond to the questions set out in the annex to the Secretariat's note, especially the specific questions relating to the role of the sponsoring state, the contract area, the plan of work etc. Responses to these questions are necessary in providing policy guidance in the development of the Draft Regulations, to ensure that the development is headed in the right direction.

6 Our third preliminary comment is on the roadmap annexed to the report of the Chair of the LTC. We thank the LTC for the development of the roadmap and we have two points to make. The first point is that beyond the Draft Regulations, we understand that work on other building blocks, such as the jurisdictional competencies and the design criteria for reference zones, is taking place in parallel. It would be useful to see how these other building blocks will fit into the roadmap.

7 The second point is that we see from the annex that the timeline contained in the roadmap does not reflect the proposed revised meeting schedule as set out in ISBA/23/A/5/Rev.1. We know that we are scheduled to discuss the revised meeting schedule in the Assembly later this week. Consequentially, if the revised meeting schedule is adopted, we request that the timeline in the roadmap be amended to reflect the impact of the revised meeting schedule, including the consideration of whether the target date set out in the timeline could be earlier than 2020.

8 Regardless of whether the meeting schedule is revised, having an end date is not an excuse to take our foot off the pedal until we are closer to this end

date. As others before us have said, the timeline is an ambitious one. We should keep up the momentum of development to ensure that the target can be realised.

Mr President,

9 Much work lies ahead of us. Singapore stands ready to participate actively in this work and we urge fellow members to do so as well. I thank you, Mr President.

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