

May 28th, 2024

Dear Honourable Ministers Joly, Wilkinson, Lebouthillier, and Guilbeault,

RE: Concern over Canada's engagement at the International Seabed Authority.

We are a group of Canadian, Indigenous, and international organizations who advocate for ocean protection and are writing this letter for two reasons.

The first is to express our concern regarding Canada's recent engagement at the International Seabed Authority (ISA) Council meeting, held in Kingston, Jamaica from March 18th - 29th. The second is to formally request Canada's commitment to several key actions at the upcoming International Seabed Authority (ISA) meeting in July 2024, which will be a critical meeting to determine the future of biodiversity protection in the Area.

Concern regarding Canada's engagement at recent ISA Council meeting:

As civil society and Indigenous organizations who work to steward and protect the environment sustainably, we are disappointed by the lack of Canada's voice on many critical issues at the March 2024 ISA meeting. At this meeting, agenda items on institutional governance, efforts to limit stakeholder participation, and the human right to peaceful protest were discussed. These discussions garnered attention from beyond ISA member states, with UN Special Rapporteurs Marcos Orellana and [Michel Forst](#) intervening. However, Canada did not intervene, and for those of us observing the meeting, we noted this as inconsistent with Canada's commitments and positions taken publicly by your departments in other fora. Our specific concerns include:

- On a proposal to change meeting modalities from open to closed sessions, in doing so limiting observer participation, many states—including Germany, Costa Rica, Brazil, France, Portugal, the Netherlands, Denmark, Ireland, and the Federated States of Micronesia—defended stakeholder engagement. Canada did not intervene.



Also supported by:



- As a result of other country interventions, the meeting continued with plenary sessions, and Solomon Pili Kaho’ohalahala, also known as Uncle Sol, a Hawaiian elder attending the meeting as an observer, opened the discussion on Underwater Cultural Heritage. Canada said nothing in support of the Indigenous Pacific groups who traveled halfway around the world to discuss their connection to the Pacific and their concern for its future.
- Many countries, including Portugal, France, the Netherlands, and Germany intervened to defend the right to peaceful protest at sea while Canada did not. The right to protest is a fundamental human right, and the ISA cannot limit it. We are concerned that Canada refused to defend the right to protest.

Recommendations for Canada at the July 2024 ISA Assembly Meeting

On July 10th, 2023, your offices issued a [joint position](#) on deep-sea mining in areas beyond national jurisdiction. The position articulates support for a moratorium on deep-sea mining and stresses that effective protection of the marine environment must be provided. The position further details that Canada will continue negotiating rules, regulations, and procedures that “ensure the **prevention of damage** from seabed mining activities to the marine environment”.

With this announcement, Canada joined 24 other countries (including G7 members France and Germany, as well as the Kingdom of Denmark, Ireland, Brazil, Chile, Costa Rica, Palau, Vanuatu, and others) in calling for a pause, moratorium, or ban on the nascent industry. We welcomed this position and we consider it consistent with Canada’s other international environmental commitments and broader environmental policy.

We are writing to ask for your support and direction to your departments to ensure Canada is acting consistently with its position on deep-sea mining and positions across other international governance platforms, notably: the United Nations Framework Convention on Climate Change (UNFCCC), the Convention on Biological Diversity (CBD), The Biodiversity Beyond National Jurisdiction Treaty (BBNJ), the ongoing Plastics Treaty negotiations, and the United Nations Environment Assembly (UNEA), The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), as well as B.C.’s Declaration on the Rights of Indigenous Peoples Act (DRIPA) and Canada’s United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA), where Canada prioritizes marine protection, the precautionary approach, science based decision making, and Indigenous rights.

We expect the July 2024 ISA meeting to be the most contentious and possibly important in the ISA’s history. We urge Canada to



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attend the July meeting with a renewed mandate that prioritizes good governance, Indigenous participation, and upholds commitments to ocean protection.

Specifically, we are urging Canada to prioritize the following as part of its delegation instructions at the July ISA meeting:

- Canada supports the General Policy for the Protection and Preservation of the Marine Environment agenda item **on the floor of the ISA** and further supports its future elaboration (sponsored by Chile, Costa Rica, France, Germany, Palau, Vanuatu, Switzerland, Ireland, and Brazil).
- Vocal and active support for an Article 154 review of the ISA, as proposed by Germany, which is mandatory every five years per the United Nations Law of the Sea Convention.
- Expresses verbal and consistent **support for stakeholder participation, transparency, and the upholding of human and Indigenous rights**, in keeping with Canada’s general support for civil society engagement and the United Nations Declaration on the Rights of Indigenous Peoples and our domestic legislation and Action Plan.

Yours sincerely,

Canadian Sign Ons:

Amnesty International Canada

Canadian Parks and Wilderness Society

Clayoquot Action

Conservation Council of New Brunswick

David Suzuki Foundation

Development and Peace – Caritas Canada

Ecology Action Centre

Georgia Strait Alliance

Greenpeace Canada

Living Oceans Society

Materials Efficiency Research Group

Mining Justice Action Committee

MiningWatch Canada

Nature Canada

Northern Confluence Initiative

Oceans North

Pacific Peoples’ Partnership

Seablue Canada

South Shore Chapter of the Council of Canadians

Union of BC Indian Chiefs

West Coast Environmental Law

Wildsight



PACIFIC PEOPLES' PARTNERSHIP

Pew



TE IPUKAREA SOCIETY
Caring for our Environment



wildsight



International Sign Ons:

Blue Climate Initiative

Blue Marine Foundation

The Ocean Foundation

The Oxygen Project

The Pew Charitable Trusts

Sustainable Ocean Alliance

Tetiaroa Society

Te Ipukarea Society

