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Report on the status of the contracts for exploration

Report on the periodic reviews of the implementation of plans of work for exploration

Status of contracts for exploration and periodic review of the implementation of plans of work for exploration

Report of the Secretary-General

I. Status of contracts for exploration

1. Contracts currently pertain to each of the three mineral resources for which the International Seabed Authority has adopted regulations on prospecting and exploration. These are polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts.
2. As at 31 December 2018, 29 contracts for exploration had entered into force, of which 17 were for polymetallic nodules, 7 were for polymetallic sulphides and 5 were for cobalt-rich ferromanganese crusts. For each mineral resource, a complete list, containing the name of the contractor, the sponsoring State or States, if applicable, the general location of the exploration area and the dates of entry into force and expiry of each contract, is provided in annex I to the present report.
3. A contract for exploration for cobalt-rich ferromanganese crusts, relating to an application for approval of a plan of work for exploration submitted by the Government of the Republic of Korea and approved by the Council at the twenty-second session, in 2016, was signed on 27 March 2018. A contract with the Government of Poland for exploration for polymetallic sulphides, relating to a plan of work for exploration approved by the Council at the twenty-third session, in 2017, entered into force on 12 February 2018.
4. In respect of the application by the Government of India for a five-year extension of its exploration contract that was approved by the Council at the twenty-third session, the extension agreement was signed on 14 March 2018 in Kingston and on 27 March 2018 in New Delhi and entered into force on 27 March 2018.

* ISBA/25/LTC/L.1.



II. Periodic review of the implementation of approved plans of work for exploration

5. In accordance with the regulations on exploration and the standard clauses of contracts for exploration,¹ the contractor and the Secretary-General are to undertake jointly a periodic review of the implementation of a plan of work for exploration at intervals of five years. The Secretary-General may request the contractor to submit such additional data and information as may be necessary for the purposes of the review. In the light of the review, the contractor is required to make such adjustments to its plan of work as are necessary and to indicate its programme of activities for the following five-year period, including a revised schedule of expected yearly expenditure. The Secretary-General is to report on the review to the Legal and Technical Commission and the Council. The Secretary-General is to indicate in the report whether any observations transmitted to him by States parties to the Convention concerning the manner in which the contractor has discharged its obligations under the regulations relating to the protection and preservation of the marine environment were taken into account in the review.

6. The Secretary-General has adopted the practice in the conduct of the review of, where appropriate, holding consultations with individual contractors to discuss the implementation of the plan of work in more detail and, in particular, to identify any concerns arising from the five-year periodic report.

7. During his individual consultations with the contractors, the Secretary-General highlighted the request by the Assembly to the Commission and the Council to consider requiring contractors to provide a detailed programme of activities that sets clear objectives and can be measured and enforced (ISBA/23/A/13, sect. F, para. 1), and he encouraged each contractor to take this into consideration when preparing the proposed programme of activities for the next five-year period.

8. The periodic review reports submitted by contractors, as well as the proposed programme of activities for the subsequent five-year period, will be made available to the Commission on a secured website. The Commission is invited to give advice to assist the Secretary-General in carrying out his responsibilities under the regulations in this respect, including advice on any additional data and information that may be necessary for the purposes of the review.

A. Periodic reviews between June and December 2018

1. Periodic review of the implementation of the approved plan of work for exploration for cobalt-rich ferromanganese crusts by Japan Oil, Gas and Metals National Corporation

9. A meeting between the Secretary-General and Japan Oil, Gas and Metals National Corporation (JOGMEC) was held on 17 July 2018 for the joint periodic review. During the meeting, JOGMEC summarized the activities covered in its draft report for its first five-year period of exploration. It was noted that, since the five-year period was to end on 26 January 2019, some activities for 2018 had not yet been completed and were therefore not included in the draft report. JOGMEC stated

¹ See regulation 28 of the regulations on prospecting and exploration for polymetallic nodules in the Area (ISBA/19/C/17, annex, and ISBA/20/A/9), regulation 30 of the regulations on prospecting and exploration for polymetallic sulphides in the Area (ISBA/16/A/12/Rev.1, annex), regulation 30 of the regulations on prospecting and exploration for cobalt-rich ferromanganese crusts in the Area (ISBA/18/A/11, annex) and standard clause 4.4 of the contracts for exploration.

that it would produce a final version of its report and proposed programme of activities for the next five-year period, including a revised schedule of expected yearly expenditure, in March 2019.

2. Periodic review of the implementation of the approved plan of work for exploration for polymetallic nodules by UK Seabed Resources Ltd.

10. UK Seabed Resources Ltd. (UKSRL) duly notified the Secretary-General of its intention to submit its periodic report for review in connection with the contract that came into force on 8 February 2013. Bearing in mind that this was its first periodic review, UKSRL requested a preliminary meeting with the Secretary-General, which was held on 30 November 2018.

11. As a result of the meeting, it was agreed that UKSRL would submit a draft narrative of its periodic report by 18 January 2019, and UKSRL is to produce a final report by 31 March 2019, including the proposed programme of activities for the next five-year period. A further meeting between UKSRL and the Secretary-General may be held if deemed necessary. UKSRL stated that the scope of programme of activities for the next five-year period would be contingent on the progress of the regulations on exploitation.

3. Periodic review of the implementation of the approved plan of work for exploration for polymetallic nodules by Global Sea Mineral Resources NV

12. Given that its contract was signed on 14 January 2013, Global Sea Mineral Resources NV should have submitted its periodic review report on 16 October 2017 (i.e., 90 days before the expiration of the five-year period). It was noted that the contractor and the Secretary-General, upon signing the contract, and in consultation with the sponsoring State (Belgium), had agreed that activities would commence only once the relevant legislation of the sponsoring State came into force, which occurred in October 2013. The contractor therefore only began activities approximately one year after signing the contract and is expected to submit its periodic review report for the first five-year period by 31 March 2019.

B. Periodic reviews in 2019 and 2020

13. The table in annex II to the present report provides a breakdown of the pending periodic reviews as at 31 December 2018 and those to be carried out in 2019 and 2020. The reviews will be conducted and reported to the Commission in due course.

III. Recommendations

14. The Commission is invited to take note of the status of the exploration contracts and the information on the periodic reviews of the implementation of the approved plans of work.

Annex I

Status of contracts for exploration

A. Contracts for exploration for polymetallic nodules

	<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State(s)</i>	<i>General location of the exploration area</i>	<i>Date of expiry</i>
1	Interoceanmetal Joint Organization	29 March 2001 29 March 2016 ^a	Bulgaria, Cuba, Czechia, Poland, Russian Federation, Slovakia	Clarion-Clipperton Fracture Zone	28 March 2016 28 March 2021
2	Yuzhmoregeologiya	29 March 2001 29 March 2016 ^a	Russian Federation	Clarion-Clipperton Fracture Zone	28 March 2016 28 March 2021
3	Government of the Republic of Korea	27 April 2001 27 April 2016 ^a	–	Clarion-Clipperton Fracture Zone	26 April 2016 26 April 2021
4	China Ocean Mineral Resources Research and Development Association	22 May 2001 22 May 2016 ^a	China	Clarion-Clipperton Fracture Zone	21 May 2016 21 May 2021
5	Deep Ocean Resources Development Co. Ltd.	20 June 2001 20 June 2016 ^a	Japan	Clarion-Clipperton Fracture Zone	19 June 2016 19 June 2021
6	Institut français de recherche pour l'exploitation de la mer	20 June 2001 20 June 2016 ^a	France	Clarion-Clipperton Fracture Zone	19 June 2016 19 June 2021
7	Government of India	25 March 2002 25 March 2017 ^b	–	Central Indian Ocean Basin	24 March 2017 24 March 2022
8	Federal Institute for Geosciences and Natural Resources	19 July 2006	Germany	Clarion-Clipperton Fracture Zone	18 July 2021
9	Nauru Ocean Resources Inc.	22 July 2011	Nauru	Clarion-Clipperton Fracture Zone (reserved area)	21 July 2026
10	Tonga Offshore Mining Limited	11 January 2012	Tonga	Clarion-Clipperton Fracture Zone (reserved area)	10 January 2027
11	Global Sea Mineral Resources NV	14 January 2013	Belgium	Clarion-Clipperton Fracture Zone	13 January 2028
12	UK Seabed Resources Ltd.	8 February 2013	United Kingdom of Great Britain and Northern Ireland	Clarion-Clipperton Fracture Zone	7 February 2028
13	Marawa Research and Exploration Ltd.	19 January 2015	Kiribati	Clarion-Clipperton Fracture Zone (reserved area)	18 January 2030
14	Ocean Mineral Singapore Pte. Ltd.	Signed in Kingston on	Singapore	Clarion-Clipperton Fracture Zone	21 January 2030

<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State(s)</i>	<i>General location of the exploration area</i>	<i>Date of expiry</i>
	15 January 2015 and in Singapore on 22 January 2015		(reserved area)	
15 UK Seabed Resources Ltd.	29 March 2016	United Kingdom	Clarion-Clipperton Fracture Zone	28 March 2031
16 Cook Islands Investment Corporation	15 July 2016	Cook Islands	Clarion-Clipperton Fracture Zone (reserved area)	14 July 2031
17 China Minmetals Corporation	12 May 2017	China	Clarion-Clipperton Fracture Zone (reserved area)	11 May 2032

^a Five-year extension of contract granted at the twenty-second session (2016).

^b Five-year extension of contract granted at the twenty-third session (2017).

B. Contracts for exploration for polymetallic sulphides

<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State(s)</i>	<i>General location of the exploration area</i>	<i>Date of expiry</i>
1 China Ocean Mineral Resources Research and Development Association	18 November 2011	China	South-West Indian Ridge	17 November 2026
2 Government of the Russian Federation	29 October 2012	–	Mid-Atlantic Ridge	28 October 2027
3 Government of the Republic of Korea	24 June 2014	–	Central Indian Ocean	23 June 2029
4 Institut français de recherche pour l'exploitation de la mer	18 November 2014	France	Mid-Atlantic Ridge	17 November 2029
5 Federal Institute for Geosciences and Natural Resources	6 May 2015	Germany	Central Indian Ridge and South-East Indian Ridge	5 May 2030
6 Government of India	26 September 2016	–	Indian Ocean Ridge	25 September 2031
7 Government of Poland	12 February 2018	–	Mid-Atlantic Ridge	11 February 2033

C. Contracts for exploration for cobalt-rich ferromanganese crusts

<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State(s)</i>	<i>General location of the exploration area</i>	<i>Date of expiry</i>
1 Japan Oil, Gas and Metals	27 January 2014	Japan	Western Pacific Ocean	26 January 2029

<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State(s)</i>	<i>General location of the exploration area</i>	<i>Date of expiry</i>	
National Corporation					
2	China Ocean Mineral Resources Research and Development Association	29 April 2014	China	Western Pacific Ocean	28 April 2029
3	Ministry of Natural Resources and Environment of the Russian Federation	10 March 2015	–	Magellan Mountains in the Pacific Ocean	9 March 2030
4	Companhia de Pesquisa de Recursos Minerais S.A.	9 November 2015	Brazil	Rio Grande Rise in the South Atlantic Ocean	8 November 2030
5	Government of the Republic of Korea	27 March 2018	–	East of the Northern Mariana Islands in the Pacific Ocean	26 March 2033

Annex II

Periodic reviews of the implementation of plans of work for exploration (pending as at 31 December 2018 and to be carried out in 2019 and 2020)

<i>Contractor</i>	<i>Type of resource</i>	<i>Reporting deadline</i>
UK Seabed Resources Ltd. (first contract)	Polymetallic nodules	10 November 2017
Japan Oil, Gas and Metals National Corporation	Cobalt-rich ferromanganese crusts	29 October 2018
China Ocean Mineral Resources Research and Development Association	Cobalt-rich ferromanganese crusts	29 January 2019
Government of the Republic of Korea	Polymetallic sulphides	26 March 2019
Global Sea Mineral Resources NV	Polymetallic nodules	31 March 2019
Institut français de recherche pour l'exploitation de la mer	Polymetallic sulphides	20 August 2019
Marawa Research and Exploration Ltd.	Polymetallic nodules	21 October 2019
Ocean Mineral Singapore Pte. Ltd.	Polymetallic nodules	24 October 2019
Ministry of Natural Resources and Environment of the Russian Federation	Cobalt-rich ferromanganese crusts	10 December 2019
Federal Institute for Geosciences and Natural Resources	Polymetallic sulphides	5 February 2020
Companhia de Pesquisa de Recursos Minerais S.A.	Cobalt-rich ferromanganese crusts	10 August 2020
Interoceanmetal Joint Organization	Polymetallic nodules	29 December 2020
UK Seabed Resources Ltd. (second contract)	Polymetallic nodules	29 December 2020
Yuzhmorgeologiya	Polymetallic nodules	29 December 2020