



Selected Decisions and Documents of the Twenty-Second Session





SELECTED DECISIONS AND DOCUMENTS
OF THE TWENTY-SECOND SESSION
11-22 July 2016

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Report of the Secretary-General of the International Seabed Authority under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea

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I. Introduction

1. The present report is submitted to the Assembly of the Authority pursuant to article 166, paragraph 4, of the 1982 United Nations Convention on the Law of the Sea (“the Convention”). The report provides information on the work of the Authority during the period from July 2015 to June 2016.

2. The Authority is an autonomous international organization established under the Convention and the 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea (“the 1994 Agreement”). It is the organization through which States parties to the Convention, in accordance with the Convention and the 1994 Agreement, organize and control activities in the Area, in particular with a view to administering the resources of the Area.

3. The Authority has a number of other specific responsibilities under the Convention, such as the responsibility to distribute to States parties to the Convention payments or contributions in kind derived from exploitation of the resources of the continental shelf beyond 200 nautical miles, pursuant to article 82, paragraph 4, of the Convention and the responsibility, under articles 145 and 209, to establish international rules, regulations and procedures to prevent, reduce and control pollution of the marine environment from activities in the Area and to adopt measures to protect and conserve the natural resources of the Area and prevent damage to the flora and fauna of the marine environment.

4. Pending the approval of the first plan of work for exploitation, the Authority is to concentrate on the 11 areas of work listed in paragraph 5 of section 1 of the annex to the 1994 Agreement. The main focus is on the following areas:

- (a) Supervisory functions with regard to contracts for exploration;
- (b) Monitoring of trends and developments relating to deep seabed mining activities, including world metal market conditions and metal prices, trends and prospects;
- (c) Development of an appropriate regulatory framework for the future development of the mineral resources of the Area, including standards for the protection and preservation of the marine environment during their development;
- (d) Promotion and encouragement of marine scientific research in the Area through, among other things, a continuing programme of technical workshops, the dissemination of the results of such research and collaboration with contractors and the international scientific community;
- (e) Information-gathering and the establishment and development of unique databases of scientific and technical information, with a view to obtaining a better understanding of the deep ocean environment.

5. As the work of the Authority has progressed, the scope of the work programme has also increased; in particular, new areas of work have been identified. During the reporting period, the Authority continued its work on the development of the framework for exploitation of mineral resources of the Area, concentrating on the seven priority deliverables identified and approved by the Council during the twenty-first session of the Authority, as contained in annex III to the report of the Chair of the Legal and Technical Commission on the work of the Commission during the twenty-first session ([ISBA/21/C/16](#)).

II. The Area

6. In the Convention, the Area is defined as the seabed and subsoil thereof beyond the limits of national jurisdiction. That means that the establishment of the exact geographic limits of the Area depends on the establishment of the limits of national jurisdiction, including the delineation of the continental shelf extending beyond 200 nautical miles from the baseline of the territorial sea. For that reason, pursuant to article 84, paragraph 2, of the Convention, coastal States are obliged to give due publicity to charts or lists of geographical coordinates of points and, in the case of those indicating the outer limit lines of the continental shelf, to deposit a copy of such charts or lists with the Secretary-General of the Authority.

7. To date, six members of the Authority have deposited such charts and lists with the Secretary-General, namely, Australia, France (with respect to Martinique, Guadeloupe, French Guiana, New Caledonia and the Kerguelen Islands), Ireland, Mexico, Niue and the Philippines. The Secretary-General takes the opportunity to urge all coastal States to deposit such charts or lists of coordinates as soon as possible after the establishment of the outer limit lines of their continental shelf, in accordance with the relevant provisions of the Convention.

8. The Authority also has the responsibility, under article 82, paragraph 4, of the Convention, to distribute to States parties to the Convention payments or contributions in kind derived from exploitation of the resources of the continental shelf beyond 200 nautical miles. Article 82 is an important component of the concept of the common heritage of mankind. While the article is clear in terms of its purpose, its language leaves a number of important practical issues unresolved. Much further work remains to be done if the provisions are to be applied uniformly and consistently in State practice. In order to avoid potential future disputes over the interpretation and application of article 82, it is crucial that these issues are resolved as soon as possible. Clear guidance as to how article 82 will be implemented in the future will also help to provide greater certainty to the marine minerals industry and enable it to promote more activities on the outer continental shelf.

9. In 2012, the Authority convened a workshop in Beijing that aimed at drawing up guidelines for the implementation of article 82 and the formulation of a model agreement between the Authority and an outer continental shelf State for receiving payments and distribution. The workshop noted, inter alia, that article 82 does not provide definitions for key terms used and recommended that further examination of the implementation needs of article 82 would benefit from a study of key terms used in the article and implicit from its context as they are used in contemporary and industry practices across different jurisdictions. The secretariat has now carried out this study, which will be contained in a publication entitled “A study of key terms in article 82 of the United Nations Convention on the Law of the Sea”. It is anticipated that the study will help to identify possible paths for a practical approach and build and deepen understanding of the terminological issues in realistic settings.

III. Membership of the Authority

10. In accordance with article 156, paragraph 2, of the Convention, all States parties to the Convention are, ipso facto, members of the Authority. As at 30 April 2016, there were 167 parties to the Convention and thus 167 members of the

Authority (166 States and the European Union). On the same date, there were 147 parties to the 1994 Agreement.

11. There are 20 members of the Authority that became parties to the Convention before the adoption of the 1994 Agreement and that have yet to become parties to the Agreement, namely, Antigua and Barbuda, Bahrain, Bosnia and Herzegovina, Comoros, the Democratic Republic of the Congo, Djibouti, Dominica, Egypt, the Gambia, Ghana, Guinea-Bissau, Iraq, Mali, the Marshall Islands, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Somalia and the Sudan.

12. As provided by General Assembly resolution 48/263 and the 1994 Agreement itself, the provisions of the 1994 Agreement and Part XI of the Convention are to be interpreted and applied together as a single instrument. In the event of any inconsistency between the 1994 Agreement and Part XI of the Convention, the provisions of the 1994 Agreement would prevail. Although members of the Authority that are not parties to the 1994 Agreement necessarily participate in the work of the Authority under arrangements based on that Agreement, becoming a party to the 1994 Agreement would remove any incongruity that currently exists for those States. The Secretary-General encourages all those members of the Authority that are not yet parties to the 1994 Agreement to become parties at the earliest possible opportunity.

IV. Permanent missions to the Authority

13. As at 30 April 2016, the following 24 States, in addition to the European Union, maintained permanent missions to the Authority: Argentina, Antigua and Barbuda, Bangladesh, Belgium, Brazil, Cameroon, Chile, China, Cuba, France, Gabon, Germany, Italy, Jamaica, Japan, Mexico, Nigeria, Panama, the Republic of Korea, the Russian Federation, Saint Kitts and Nevis, South Africa, Spain and Trinidad and Tobago. During the reporting period, new permanent representatives were appointed by Bangladesh, China and the Russian Federation. Niu Qingbao presented his credentials as the Permanent Representative of China on 4 February 2016. Mohammad Ziauddin presented his credentials as the Permanent Representative of Bangladesh on 13 April 2016 and Vladimir Vinokurov presented his credentials as the Permanent Representative of the Russian Federation on 8 June 2016.

V. Protocol on the Privileges and Immunities of the International Seabed Authority

14. The Protocol on the Privileges and Immunities of the International Seabed Authority was adopted by consensus at the fourth session of the Assembly, on 26 March 1998 (see [ISBA/4/A/8](#)). In accordance with article 18 of the Protocol, it entered into force 30 days after the date of deposit of the tenth instrument of ratification, approval, acceptance or accession, on 31 March 2003.

15. The Protocol deals with the privileges and immunities of the Authority in relation to those matters that are not already covered in the Convention (articles 176 to 183) and is based substantially on articles I, II, IV, V, VI and VII of the Convention on the Privileges and Immunities of the United Nations of 13 February 1946. The Protocol, inter alia, provides essential protection to representatives of

members of the Authority who attend meetings of the Authority or who travel to and from those meetings. It also accords to experts on mission for the Authority such privileges and immunities as are necessary for the independent exercise of their functions, while on mission, and for the time spent on journeys in connection with their mission.

16. In the past year, the following four States acceded to the Protocol: Albania (22 October 2015), Iraq (16 February 2016), Guinea (6 April 2016) and Antigua and Barbuda (3 May 2016). This brings the total number of parties to 40, as follows: Albania, Antigua and Barbuda, Argentina, Austria, Brazil, Bulgaria, Cameroon, Chile, Croatia, Cuba, the Czech Republic, Denmark, Egypt, Estonia, Finland, France, Germany, Guinea, Guyana, India, Iraq, Ireland, Italy, Jamaica, Lithuania, Mauritius, Mozambique, the Netherlands, Nigeria, Norway, Oman, Poland, Portugal, Slovakia, Slovenia, Spain, Togo, Trinidad and Tobago, the United Kingdom of Great Britain and Northern Ireland and Uruguay. A further 13 States have signed the Protocol but have yet to ratify it, namely, the Bahamas, Côte d'Ivoire, Ghana, Greece, Indonesia, Kenya, Malta, Namibia, Pakistan, Saudi Arabia, Senegal, the Sudan and the former Yugoslav Republic of Macedonia.

17. In an attempt to encourage other members of the Authority to become parties to the Protocol, on 26 April 2016, the Secretary-General circulated a briefing note further elaborating the provisions of the Protocol and describing the processes necessary for ratification, acceptance, approval or accession. Members of the Authority that are not yet parties are strongly encouraged to take the necessary steps to become parties to the Protocol at their earliest convenience.

VI. Administrative matters

A. Secretariat

18. The total number of established posts in the secretariat remained at 37 (20 Professional, 17 General Service). Three vacant positions were filled during the reporting period, as follows: Mineral Economist (P-5), Procurement Assistant (GS-5) and Administrative Assistant to the Office of Resources and Environmental Monitoring (GS-4).

B. Participation in the common system of the United Nations

19. The Authority applies to its staff the common system of salaries, allowances and other conditions of service of the United Nations and the specialized agencies of the United Nations system. In this regard, the Authority subscribed to the statute of the International Civil Service Commission (ICSC) in 2013. The secretariat was represented at the eighty-second session of ICSC, held at United Nations Headquarters in New York in March 2016. The agenda included the implementation of the resolutions and decisions adopted by the General Assembly at its seventieth session relating to the work of the Commission, the conditions of service applicable to all categories of staff and the comprehensive review of the common system compensation package.

20. The secretariat of the Authority is a member of the United Nations operations management team¹ in Jamaica. Under its mandate, the team strives to achieve greater efficiencies and cost savings in the operations of its members by streamlining business practices. During the reporting period, the team established a consultancy roster with 12 categories, which now presents an opportunity for pre-screening suppliers. The team has also carried out initial work towards developing a long service agreement with a regional travel agency.

VII. Financial matters

A. Budget

21. At its twentieth session, the Assembly adopted the administrative budget for the financial period 2015-2016 in the amount of \$15,743,143.

B. Status of contributions

22. In accordance with the Convention and the 1994 Agreement, the administrative expenses of the Authority shall be met by assessed contributions of its members until the Authority has sufficient funds from other sources to meet those expenses. The scale of assessments shall be based on the scale used for the regular budget of the United Nations, adjusted for differences in membership. As at 30 April 2016, 60 per cent of the value of contributions to the 2016 budget due from member States and the European Community had been received from 39.1 per cent of the membership of the Authority.

23. Contributions outstanding from member States for prior periods (1998-2015) amount to \$980,524. Notices are sent on a regular basis to member States, reminding them of the arrears. In accordance with article 184 of the Convention and rule 80 of the rules of procedure of the Assembly, a member of the Authority which is in arrears in the payment of its financial contribution shall have no vote if the amount of its arrears equals or exceeds the amount of financial contribution due from it for the preceding two years. As at 31 May 2016, the following 50 members of the Authority had been in arrears for two years or more: Angola, Barbados, Belize, Benin, Botswana, Brazil, Burkina Faso, Cameroon, Cape Verde, Chad, the Comoros, the Congo, Croatia, the Democratic Republic of the Congo, Djibouti, the Dominican Republic, Equatorial Guinea, the Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Honduras, Liberia, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mongolia, Namibia, Nauru, Nepal, the Niger, Pakistan, Palau, Papua New Guinea, Paraguay, Sao Tome and Principe, Seychelles, Somalia, Sri Lanka, the Sudan, Swaziland, the former Yugoslav Republic of Macedonia, Togo, Vanuatu, Yemen, Zambia and Zimbabwe.

¹ The participating agencies, in addition to the Authority, are the United Nations Population Fund, the Pan American Health Organization, the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the Joint United Nations Programme on HIV/AIDS, the United Nations Development Programme and the Food and Agriculture Organization of the United Nations.

24. As at 30 April 2016, the balance of the Working Capital Fund stood at \$558,876, against an approved level of \$560,000.

C. Voluntary trust fund

25. The voluntary trust fund for the participation of members of the Finance Committee and the Legal and Technical Commission from developing countries was established in 2002. Provisional terms and conditions for the use of the fund were adopted by the Assembly in 2003 and amended in 2004 (see [ISBA/9/A/5-ISBA/9/C/5](#), para. 6 and annex, and [ISBA/9/A/9](#), para. 14). The trust fund is made up of voluntary contributions from members of the Authority and others. Total contributions to the fund amount to \$614,584. The most recent contribution was made by Argentina in March 2016, in the amount of \$5,000. The balance of the voluntary trust fund as at 30 April 2016 stood at \$179,853.

D. Endowment fund for marine scientific research in the Area

26. The Assembly established the endowment fund for marine scientific research in the Area in 2006 (see [ISBA/12/A/11](#)). Detailed rules and procedures for the administration and utilization of the fund were adopted in 2007 (see [ISBA/13/A/6](#), annex). The fund aims to promote and encourage the conduct of marine scientific research in the Area for the benefit of humankind as a whole, in particular by supporting the participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes, including through training, technical assistance and scientific cooperation programmes. The fund is administered by the secretariat. Members of the Authority, other States, relevant international organizations, academic, scientific and technical institutions, philanthropic organizations and private persons may make contributions to the fund.

27. As at 30 April 2016, the capital of the fund stood at \$3,465,815. As at the same date, a total of \$514,028 had been disbursed from the interest accrued on the capital in the form of awards for projects. Since the last session, two contributions have been received. one from the Institut français de recherche pour l'exploitation de la mer (IFREMER) in the amount of \$2,777, and one from Mexico in the amount of \$7,500.

VIII. Satya N. Nandan Library

28. The Satya N. Nandan Library, named after the first Secretary-General of the Authority, is the main information resource for the secretariat, member States, permanent missions and other researchers seeking specialist information on the law of the sea, ocean affairs, deep seabed mining and seabed resources. Its principal objective is to service the reference and research needs of its clientele and to provide essential support for the work of the secretariat. The Authority is committed to developing the specialized research capability of the existing collection through an acquisitions programme aimed at responding to the changes in the delivery and formats of information and knowledge, building upon and strengthening the Library's comprehensive collection. In this regard, the increased budget allocation to the Library during the financial period 2015-2016 has allowed for further development of the collection, with access to additional diverse information

resources. The holdings were further augmented by generous donations from organizations and individuals. Noteworthy among the donors were the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations Secretariat; the International Tribunal for the Law of the Sea; the United Nations Environment Programme; the Food and Agriculture Organization of the United Nations; the United Nations Development Programme; the United Nations Educational, Scientific and Cultural Organization (UNESCO); the Intergovernmental Oceanographic Commission of UNESCO; the World Bank; the Tokyo Institute of Technology; the Center for Oceans Law and Policy, University of Virginia; the Law of the Sea Institute, University of California, Berkeley; the German Advisory Council on Global Change; the United States Institute of Peace; the Planning Institute of Jamaica; and the Ministry of Science, Energy and Technology of Jamaica. An individual donation was also received from David Billett, National Oceanography Centre, Southampton, United Kingdom.

29. The Library facilities available to visitors, including delegates, consist of a reading room with access to the collection for reference purposes, and computer terminals for e-mail and Internet usage. Services provided include information, reference and research support, as well as the distribution of the official documents and publications of the Authority. A project to upgrade the Library in light of new technologies available started in 2014 with an upgrade of the physical access areas. In 2015, an assessment of Library information technologies was carried out by a consultant and a procurement exercise commenced to identify an appropriate integrated cloud-based Library management services platform. It is anticipated that the system will be implemented during the 2017-2018 financial period.

30. The Library is an active member of the International Association of Aquatic and Marine Science Libraries and Information Centers and the Library and Information Association of Jamaica. In 2015, the Library formed a partnership with the library of the International Tribunal for the Law of the Sea to join the United Nations System Electronic Information Acquisition Consortium. This is a system-wide libraries initiative, used through the United Nations system libraries, which generates considerable savings for participating agencies by bringing down the cost of information through a collective purchasing arrangement and shared services to online repositories.

31. The Library receives numerous requests for research assistance, many of which are submitted electronically and reflect the increasing interest in the work of the Authority at the international level. Research interest is focused on the activities of the Authority, its role, functions and future challenges, as well as on the subject areas covered by the Convention, including on the regulatory framework for seabed mining; marine scientific research; the principle of the common heritage of mankind; the continental shelf and exclusive economic zone claims; ocean governance; the Third United Nations Conference on the Law of the Sea and the Committee on the Peaceful Uses of the Seabed and the Ocean Floor beyond the Limits of National Jurisdiction; the development of the mineral exploitation code; the status of, and information on, contracts for exploration; current developments in marine mineral resources and exploration; mining agreements and regulations; areas of particular environmental interest and environmental management plans for protection of the seabed. In addition, there continues to be wide interest in information on the endowment fund and on fellowship and training opportunities available through the fund. Research assistance was provided to the Commonwealth

Secretariat; South Asian University, New Delhi; the Marine Biology Research Group, Ghent University; the University of California, Santa Barbara; the Ministry of Earth Sciences, National Institute of Oceanography, India; the Associated Press; Sealight Pictures, Australia; the University of Sao Paulo, Brazil; the Centre for International Sustainable Development Law, University of New South Wales; China People's Daily; the China Ocean Mineral Resources Research and Development Association; the Faculty of Law and the Department of Language, Linguists and Philosophy, the University of the West Indies, Mona, Jamaica; the Norman Manley Law School, Jamaica; the Caribbean Maritime Institute; and government bodies, including the Attorney General's Department; the Ministry of Foreign Affairs and Foreign Trade; the Mines and Geology Division of the Ministry of Science, Energy and Technology; the National Environment and Planning Agency; the Planning Institute of Jamaica; and the Jamaica Information Service. Requests were also received from individual researchers, academic and research institutions, embassies and permanent missions based in Jamaica and around the world.

IX. Information technology, website and public information

32. The Authority maintains an online presence through its website, which provides access to information, digital publications and official documents on a cross-browser platform. It also maintains a mobile application (ISBAHQ), Twitter (@ISBAHQ) and Facebook accounts to generate greater awareness of its work, engage with stakeholders and monitor relevant developments. A quarterly newsletter, available by digital subscription, informs the public of the Authority's work and joint efforts with other organizations. Briefing papers and technical studies provide summaries of legal and scientific workshops and seminars hosted by the Authority or jointly coordinated with other legal and scientific institutions.

33. The Information Technology Unit within the secretariat supports the substantive work of the secretariat by administering the network infrastructure and providing technical support to users.

X. Relationship with the United Nations and other relevant international organizations

34. The interrelationship between activities in the ocean makes cooperation and coordination essential between international organizations with mandates over activities in the ocean. That fact is emphasized in the Convention itself and is critical for a consistent approach that results in the comprehensive protection of the marine environment as part of the sustainable development of activities in the ocean. To that end, the secretariat has participated in a number of initiatives aimed at facilitating the exchange of information and dialogue among users of the international seabed area.

A. United Nations

35. The Authority has a close and productive working relationship with the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs at

the United Nations. The Authority provided information on its activities to the twenty-sixth Meeting of States Parties to the Convention, in June 2016. It also participated in the first session of the Preparatory Committee established by General Assembly resolution 69/292 on the development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction. A briefing on the work of the Authority was made to the Areas Beyond National Jurisdiction Regional Leaders Program, held in New York, which was followed by participation of the Authority in the capacity-building workshop, held in Saint George's in May 2016. The Authority also contributed to providing information towards the implementation of General Assembly resolution 69/245 on oceans and the law of the sea.

B. UN-Oceans

36. UN-Oceans is a United Nations inter-agency mechanism mandated to strengthen and promote coordination and coherence of United Nations systems and activities related to ocean and coastal areas; regularly share information about the ongoing and planned activities of participating organizations within the framework of relevant United Nations and other mandates, with a view to identifying possible areas for collaboration and synergy; facilitate, as appropriate, inputs by its participating organizations to the annual reports of the Secretary-General of the United Nations on oceans and the law of the sea and on sustainable fisheries; and facilitate inter-agency information exchange, including the sharing of experiences, best practices, tools and methodologies and lessons learned in ocean-related matters.

37. The secretariat of the Authority is a member of UN-Oceans and participates in its meetings, as appropriate, and in accordance with its mandate. During the reporting period, the Authority participated in a number of teleconferences and contributed to discussions on the indicators of Sustainable Development Goal 14 (c) on enhancing the conservation and sustainable use of oceans and their resources by implementing international law as reflected in the United Nations Convention on the Law of the Sea, as recalled in paragraph 158 of General Assembly resolution 66/288, entitled "The future we want". The Authority also contributed to the development of the inventory of the mandates and priorities approved by the respective governing bodies of the organizations participating in UN-Oceans, with a view to identifying ongoing and planned activities in respect of those mandates and priorities, and making this inventory available on the UN-Oceans website.

C. International Cable Protection Committee

38. The International Cable Protection Committee is a global organization representing the telecommunications and cable-laying industry. It was established in 1958 to promote the safeguarding of submarine cables against man-made and natural hazards, and to provide a forum for the exchange of technical and legal information pertaining to submarine cable protection methods and programmes, including exchanging information on the location of existing and proposed cables. In 2009, members of the Authority noted that, while the laying of submarine cables is a freedom of the high seas, it was in the interests of both the Authority and the members of the Committee to cooperate to avoid potential conflicts between the

laying of cables and activities in the Area (see [ISBA/16/A/INF/1](#), para. 2). It was further noted that both organizations also had a strong interest in the protection of the marine environment from adverse impacts arising from their respective activities. A memorandum of understanding setting out the scope and purpose of cooperation between the two organizations was concluded in 2010. The Committee has since attended and participated in annual sessions of the Authority. The Authority was represented at the 2016 Committee plenary meeting, held in Hamburg, Germany, from 12 to 14 April 2016 and, on its part, the Committee is organizing a side event for delegates to the twenty-second session of the Authority in order to provide further information on its work.

D. International Hydrographic Organization

39. During the reporting period, consultations regarding the utility of charting exploration areas under contract with the Authority, in order to show the presence of cables, were undertaken by the Authority and the International Hydrographic Organization. As a result, the President of the Directing Committee of the International Hydrographic Bureau, which is the permanent secretariat of the International Hydrographic Organization, and the Secretary-General of the Authority, agreed to establish and conclude a suitable arrangement for a mutually beneficial relationship between the two organizations. A draft agreement of cooperation between the International Hydrographic Organization and the Authority to improve common knowledge and understanding, and to facilitate the mapping of the sea floor in the Area for the common benefit of humankind was jointly drafted by the secretariat of the two organizations and is being submitted to the Council for approval during the twenty-second session. This initiative is particularly relevant in the context of Sustainable Development Goal 14 and provides support for the long-standing aims of the International Hydrographic Organization and the regime governing activities in the Area.

E. OSPAR Commission for the Protection of the Marine Environment in the North-East Atlantic

40. As encouraged by several delegations of the Council (see [ISBA/21/C/21](#) para. 28), dialogue between the Authority and the OSPAR Commission for the Protection of the Marine Environment in the North-East Atlantic² during the reporting period focused on progress made on issues associated with the status of the collective arrangement between competent international organizations on cooperation and coordination in areas beyond national jurisdiction in the North-East Atlantic (“the collective arrangement”). The collective arrangement, which is a non-binding instrument, was intended to serve as a platform to facilitate dialogue and the exchange of information. The arrangement provides a framework for cooperation between competent sectoral organizations regarding selected areas beyond national jurisdiction

² The OSPAR Commission and the North-East Atlantic Fisheries Commission, a regional fishery management organization established by the Convention on Future Multilateral Cooperation in North-East Atlantic Fisheries of 1980, signed a memorandum of understanding in August and September 2008. Denmark (in respect of the Faroe Islands and Greenland), Iceland, Norway, the Russian Federation and the European Union are members of the North-East Atlantic Fisheries Commission. They are also members of the Authority.

in the North-East Atlantic that are subject to specific environmental management measures. In March 2016, the OSPAR Commission and the North-East Atlantic Fisheries Commission invited the Authority to participate in the second meeting under the collective arrangement, held in London. Although the secretariat of the Authority was not able to be represented at that meeting, it submitted a written statement on matters of mutual interest. Developing a functioning dialogue between the Authority and the OSPAR Commission and other competent international organizations with international legal competence for managing human activities in areas beyond national jurisdiction would be useful in demonstrating the value of a regional approach, where such competent organizations exist, highlighting where there are shared objectives for the sustainable use of the oceans.

F. International Maritime Organization

41. At its twenty-first session, in July 2015, the Council of the Authority approved the text of an Agreement of Cooperation between the Authority and the International Maritime Organization (IMO). The Council of IMO had previously approved the text of such an Agreement at its one hundred and fourteenth session, held in London from 29 June to 3 July 2015. The Assembly of IMO, at its twenty-ninth session, held from 23 November to 3 December 2015, approved the Agreement. The Agreement was signed by the Secretary-General of IMO on 8 December 2015 and by the Secretary-General of the Authority on 8 March 2016. Under the Agreement, IMO and the Authority agreed that they will, inter alia, consult one another on matters of common interest, with a view to ensuring maximum coordination of their respective work and activities, and will send representatives to observe meetings or conferences convened under the auspices of the two respective organizations and to consult on matters of personnel, material, services, equipment and facilities for joint undertakings in fields of common interest to both organizations.

G. Pacific Community

42. Also during the twenty-first session, the Assembly approved the observer status of the Pacific Community to replace the Pacific Islands Applied Geoscience Commission. At the same session, the Council approved the signing of a memorandum of understanding between the Authority and the Pacific Community. Currently, the Pacific Community counts 26 member States and territories; 17 of the member States are also members of the Authority, namely, Australia, Cook Islands, Fiji, France, Kiribati, the Marshall Islands, the Federated States of Micronesia, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.

XI. Previous session of the Authority

43. The twenty-first session of the Assembly of the International Seabed Authority was held in Kingston from 13 to 24 July 2015, and comprised its 150th to 154th meetings. At its 151st and 152nd meetings, on 21 July, and its 153rd meeting, on 22 July, the Assembly considered and debated the annual report of the Secretary-General of the Authority, submitted in compliance with article 166, paragraph 4, of

the Convention. At its 152nd meeting, the Assembly considered the terms of reference for the periodic review of the international regime of the Area and decided, among other things, to undertake, pursuant to article 154 of the Convention, a general and systematic review of the manner in which the international regime of the Area had operated in practice. It also decided that such a review would be carried out with the oversight of a review committee comprising the President and the Bureau of the Assembly, and the President of the Council, with the current President of the Assembly remaining on the committee until the completion of the review. Chairs of regional groups might also participate in the committee as observers. The Assembly also decided that the review would be conducted by consultants appointed by the review committee, based on a shortlist of qualified consultants prepared by the Secretary-General in accordance with the established procurement procedures of the Authority.

44. The Council adopted its agenda during its 202nd meeting, on 13 July. During the session, the Council considered, inter alia, the status of contracts for exploration in the Area (see [ISBA/21/C/8/Rev.1](#)), the status of national legislation relating to deep seabed mining, the report and recommendations of the Finance Committee, and the report of the Chair of the Legal and Technical Commission. The Council also considered an application for the approval of a plan of work for exploration for polymetallic nodules submitted by the China Minmetals Corporation. Acting on the recommendation of the Commission, the Council approved the application and requested the Secretary-General to issue the plan of work in the form of a contract between the Authority and the China Minmetals Corporation.

45. At its 212th meeting, the Council adopted a decision relating to the procedures and criteria for the extension of an approved plan of work for exploration. The procedures and criteria for extension are set out in the annex to the decision of the Council contained in document [ISBA/21/C/19](#). The Council noted with appreciation the Commission's work on the framework for the exploitation regulations and requested the Commission to continue its work on exploitation regulations as a matter of priority. The Council endorsed the Commission's list of priority deliverables for the development of the exploitation regulations over the following 12 to 18 months. These deliverables are set out in annex III to the report of the Chair of the Legal and Technical Commission ([ISBA/21/C/16](#)).

XII. Status of exploration and exploitation in the Area

46. As at 31 May 2016, 24 contracts for exploration had entered into force (15 for polymetallic nodules, 5 for polymetallic sulphides and 4 for cobalt-rich ferromanganese crusts). Since the twenty-first session, two new contracts have been signed. On 9 November 2015, a contract for exploration for cobalt-rich ferromanganese crusts with the Companhia de Pesquisa de Recursos Minerais was signed in Brasilia and on 29 March 2016, a second contract for exploration for polymetallic nodules was signed in New York with UK Seabed Resources Ltd. A contract for exploration for polymetallic nodules with the Cook Islands Investment Corporation will be signed on 24 June 2016. It is anticipated that pending contracts with India and with the China Minmetals Corporation will be signed during 2016.

47. As at 16 December 2015, applications for extension of approved plans of work for exploration for polymetallic nodules had been received from the following six

contractors: the Interoceanmetal Joint Organization, Yuzhmoregeologiya, the Government of the Republic of Korea, the China Ocean Mineral Resources Research and Development Association, the Deep Ocean Resources Development Co. Ltd and the Institut français de recherche pour l'exploitation de la mer. Each contractor requested an extension of five years.

48. Applications for extensions of approved plans of work for exploration are considered by the Legal and Technical Commission pursuant to the procedures and criteria adopted by the Council at the twenty-first session ([ISBA/21/C/19](#)). The Commission is required to submit its report and recommendations on each such application to the Council at the first possible opportunity, which would be July 2016. Pursuant to paragraph 9 of section 1 of the annex to the 1994 Agreement, and paragraph 12 of the procedures and criteria, the Commission shall recommend approval of the application for extension of the contract for exploration if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control, has been unable to complete the necessary preparatory work for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage.

XIII. Progressive development of the regulatory regime for activities in the Area

49. The Authority has a fundamental role to play in ensuring that an appropriate regulatory regime is established, in accordance with the Convention and the 1994 Agreement, which provides adequate security of tenure for future exploration for, and exploitation of, the mineral resources of the Area, while ensuring effective protection for the marine environment. The regulatory regime would ultimately be encapsulated in a mining code, which would comprise the whole of the comprehensive set of rules, regulations and procedures issued by the Authority to regulate prospecting, exploration and exploitation of marine minerals in the Area.

A. Prospecting and exploration

50. The mining code currently consists of three sets of regulations covering prospecting and exploration for polymetallic nodules ([ISBA/19/C/17](#), annex), polymetallic sulphides ([ISBA/16/A/12/Rev.1](#), annex) and cobalt-rich ferromanganese crusts ([ISBA/18/A/11](#), annex). In addition to specifying the process through which contracts may be applied for and granted, the regulations set out the standard terms and conditions, applicable to all entities, of contracts with the Authority. The regulations are supplemented by recommendations for the guidance of contractors issued by the Legal and Technical Commission. At present, recommendations that have been issued by the Commission include:

(a) Recommendations for the guidance of contractors and sponsoring States relating to training programmes under plans of work for exploration ([ISBA/19/LTC/14](#));

(b) Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area (ISBA/19/LTC/8);

(c) Recommendations for the guidance of contractors for the reporting of actual and direct exploration expenditure (ISBA/21/LTC/11);

(d) Recommendations for the guidance of contractors on the content, format and structure of annual reports (ISBA/21/LTC/15).

B. Exploitation

51. Building upon the work that commenced in 2014, the Legal and Technical Commission continued its work on the formulation of the draft regulation for the exploitation of marine mineral resources in the Area during the reporting period. The Commission discussed a number of high-level issues that would have an impact on the strategic approach taken with regard to the development of the exploitation regulations, together with definitions and a number of practical issues affecting the operationalization of the exploitation regime. The areas of risk assessment and management and the implementation of internationally recognized standards were identified as fundamental to the orderly development of the industry and its regulation and would require a more detailed understanding of proposed operations. The Commission took note of a discussion paper prepared by the secretariat and external consultants concerning the development of a payment mechanism for exploitation activities in the Area.

52. As part of its continued work, the Commission discussed the responses to the suggested draft framework, high-level issues and action plan issued to stakeholders in March 2015. It considered that the draft framework had been well received by stakeholders and would serve as a good basis to provide direction to the drafting of the exploitation regulations. The Commission issued a revised draft framework and action plan, taking account comments by stakeholders. That document is available on the Authority's website (<http://bit.ly/1K4Bmrc>).

53. Also during the reporting period, the Commission identified seven priority deliverables for the next 12 to 18 months. These deliverables were reflected in annex III to the report of the Chair of the Commission (ISBA/21/C/16) and included the preparation of a zero draft of the exploitation regulations as well as standard contract terms. The Commission noted that a complete exploitation code, including guidelines and recommendations, would evolve over time as more data and information became available and that the delivery of a complete exploitation code would have material implications for the budget for the next biennium (2017-2018) and beyond. In conjunction with the secretariat, the Commission would aim to develop a fully costed plan and timeline by July 2016. In terms of a continued commitment to transparency and engagement, the Commission requested the secretariat to draft a stakeholder consultation and participation strategy for the Authority, which was done in January 2016.

C. National laws and regulations relating to deep seabed mining

54. At the seventeenth session of the Authority, in 2011, the Council requested the Secretary-General to prepare a report on the laws, regulations and administrative measures adopted by sponsoring States and other members of the Authority with regard to activities in the Area, and invited, for that purpose, sponsoring States and other members of the Authority, as appropriate, to provide the secretariat with information on, or the texts of, relevant national laws, regulations and administrative measures (see [ISBA/17/C/20](#), para. 3). Subsequently, the secretariat established an online database of the information on, or the texts of, national laws, regulations and administrative measures that had been submitted to it and submitted an annual report on the status of such national legislation to the Council ([ISBA/18/C/8](#) and Add.1, [ISBA/20/C/12](#), [ISBA/20/C/11](#) and Corr.1 and Add.1, and [ISBA/21/C/7](#)).

55. As at 31 May 2016, the following States had provided information on, or the texts of, relevant national laws, regulations and administrative measures: Belgium, China, Cook Islands, Czech Republic, Fiji, France, Germany, Guyana, India, Japan, Mexico, Nauru, the Netherlands, New Zealand, Nigeria, Niue, Oman, the Republic of Korea, Singapore, Tonga, the United Kingdom, the United States of America and Zambia. A submission was also received from the secretariat of the Pacific Community, on behalf of the Pacific Islands region.

XIV. Workshops and seminars

56. Since 1998, the Authority has convened a number of international workshops on scientific and technical matters in order to provide it with the best available scientific advice for the formulation of rules, regulations and procedures for managing activities in the Area. The workshops are an important mechanism for the promotion and encouragement of marine scientific research in the Area and a platform for collaboration with contractors and the international scientific community.

57. Workshops are important for the standardization of the data and information required for the assessment of the environmental impact of activities in the Area and the environmental management of the large provinces of mineral wealth in the Area. With regard to the mineral resources themselves, workshops are an important tool to apprise the international community of the maturity of the efforts to convert the resources of the Area, the common heritage of mankind, into the financial assets they represent. Workshops are also an important mechanism for the promotion and encouragement of marine scientific research in the Area, for providing an opportunity for contractors and applied scientists to exchange ideas and for serving as a platform for the identification of gaps in the knowledge base required to sustainably undertake exploitation in the Area, which could be better addressed through collaboration among contractors and with the international scientific community. During 2015 and 2016, the Authority convened three workshops on measures to protect and preserve the environment from activities in the Area and two workshops on contractor efforts to proceed to convert polymetallic nodules into the financial assets that they are.

A. Workshops on taxonomic classification standardization

58. The Authority has, since 2013, conducted a series of workshops for the standardization of the procedures and methodologies for taxonomic classification of the fauna in the Area. The aims of the workshops were to inter-calibrate the available taxonomic data, to develop contractor capacity in faunal identifications using the recommended standards, to create geographic databases of species distributions based on the standardized data and to inform prospectors, potential exploration contractors and marine researching institutions of the preferred nomenclatures and procedures for faunal identifications.

59. The first in the series of such workshops was convened at the German Centre for Marine Biodiversity Research of the Senckenberg Institute in Wilhelmshaven, Germany, from 10 to 15 June 2013. It focused on the evaluation of and difficulties encountered in assessing megafaunal biodiversity and provided contractors for polymetallic nodules with a means to classify all megafaunal species so far identified in their exploration areas and for all future observations using a standardized taxonomy to allow comparison between fauna in different exploration areas, and to enable better environmental management. Megafauna are defined as organisms large enough to be determined on photographs, typically larger than 1 centimetre in size. The main taxonomic groups analysed in this workshop were: fish, holothurians, asteroids, crinoids, ophiuriids, cnidarians and protists, together with crustaceans, cephalopod mollusks and sponges.

60. The second workshop in the series was convened at the East Sea Research Institute of the Korea Institute of Ocean Science and Technology (KIOST) in Uljin, Republic of Korea, from 23 to 30 November 2014. It focused on the evaluation of and difficulties encountered in assigning macrofaunal biodiversity (classified to species level) and provided contractors for polymetallic nodules with a means to classify all macrofaunal species so far identified in their exploration areas and for all future observations using a standardized taxonomy to allow comparison between fauna in different exploration areas, and to enable better environmental management.

61. The last in the series of workshops was convened at the Marine Biology Research Group, Ghent University, in Ghent, Belgium, from 14 to 17 December 2015, and was co-hosted by Ghent University and Global Sea Mineral Resources BV, the Belgian contractor. It focused on the evaluation of and difficulties encountered in assigning meiofaunal diversity (classified to species level) and provided contractors for polymetallic nodules with a means to use applicable standards with regard to all megafaunal, macrofaunal and meiofaunal species so far identified in their exploration areas and for all future observations and to allow comparison between fauna in different exploration areas, and to enable better environmental management.

62. The main recommendations that came out of the foregoing workshops were submitted to the Legal and Technical Commission for consideration, as follows:

(a) Enforce the collection of molecular data (reverse taxonomy, barcoding) in the Area to provide connectivity across the Area, in particular the Clarion-Clipperton Fracture Zone;

(b) Ensure the highest resolution in taxonomy, that is, species level, and ensure that taxonomic nomenclature follows the World Register of Marine Species standards;

(c) Increase efforts towards capacity-building by producing online atlases and catalogues to illustrate the dominant morphotypes found in the Area;

(d) Develop new protocols and regulations for the collection and processing of environmental DNA to integrate eDNA into the sampling regimes of all the contractors.

63. The secretariat is currently building two new atlases for the macrofauna and meiofauna of the Clarion-Clipperton Fracture Zone. The purpose of these atlases is to support the work of contractors in their taxonomic classification as well as to promote biodiversity knowledge among the scientific community and general public. The Authority, in collaboration with the International Network for Scientific Investigation of Deep-Sea Ecosystems (INDEEP) and contractors, has already generated an online atlas for megafauna in the Zone (http://ccfzatlases.com/wiki/index.php?title=Main_Page).

64. In response to the findings and recommendations of the workshops on taxonomic classification standardization, the secretariat is now exploring new ways of assessing and monitoring marine diversity, including the application of genomic tools for biomonitoring of the marine environment. In May 2016, in collaboration with the Swiss Network for International Studies and other scientific institutions, the secretariat started the first research programme for assessing deep-sea environmental impact based on the next generation sequencing (NGS) — metabarcoding approach for environmental monitoring of marine ecosystems.

B. Sensitization seminars

65. As a capacity-building and outreach initiative, the Authority has also, over the years, organized sensitization seminars aimed at bringing together experts from the international legal and scientific community with national and regional government officials, scientists, researchers and academics to discuss scientific research on marine minerals and propose mechanisms for improving regional cooperation in scientific research and marine mineral development. Topics covered at the seminars include the status of the legal regimes established for the recovery of minerals, the types of minerals found in the Area, resource evaluation, protection and preservation of the marine environment from prospecting, exploration and mining, and capacity-building. Previous sensitization seminars have been held in Manado, Indonesia (2007), Rio de Janeiro, Brazil (2008), Abuja (2009), Madrid (2010), Kingston (2011), Mexico City (2013) and at United Nations Headquarters in New York (2010, 2012, 2014). In 2015, the Authority held two sensitization seminars, the first in South Africa (March) and the second in Chile (November).

XV. Data management strategy

66. The Legal and Technical Commission, in its report to the Council in 2015, requested the secretariat to provide a draft data management strategy and the financial implications of its implementation (ISBA/21/C/16, para. 36). In response to that request, a document was prepared by a working group of the Commission and, subsequently, with the assistance of a consulting firm, that presents a summary of the preliminary review of the current data management arrangement by the secretariat. The Commission formed a working group on data management strategy

during its February 2016 session. The working group conducted a preliminary review of the current data and information management arrangements and of the existing hardware and infrastructure supporting the arrangements. With regard to the secretariat, it noted that in the current management system, data and information were stored in four places, namely, a secure vault for the initial registering and physical storage, a server that was divided between the public Authority website and the Commission secure website, a stand-alone computer with a geographic information system and a stand-alone computer with several software packages for handling biological/environmental data.

67. The working group also noted that there was no direct link between the four units; all uploading to the server was manual. Data were imported into the stand-alone units not as a routine, but according to day to day needs, and the transfer of data from the biological/environmental stand-alone site to the geographic information system was performed manually. Finally, it noted that the basic archiving function, that is, bookkeeping, searching and retrieving of data and information, was also performed manually based on the content of the physical storage (vault). A selection of the information might be retrieved from the websites, but their content relied on the subjective choices of the individual webmasters and did not necessarily reflect the needs of the users. No one person seemed to be designated to be in charge of overall data management.

68. The working group concluded with the following observations. The International Seabed Authority must implement the routines and technical means to take care of all data and information in a structured manner consistent with all the needs of the functions of the Authority, which included the basic archiving needs and all the relevant uses of the data and information. Moreover, a staff member in the position of data manager was needed to keep such a system working; more than one geographic information system officer was needed to prevent the system from becoming vulnerable; and staff computers should be upgraded according to their use and function.

69. With regard to setting up the strategy, the working group noted that the procedure comprised priority steps and progressive implementation aspects, in particular: the review of current arrangements for the use of data by the Authority in the monitoring and evaluation of contractors' activities; the definition of an Authority model of data management; the determination of the type of technology and related infrastructure to be used to implement the plan; the definition of a timeline showing the sequences of the implementation plan and the related financial evaluation; setting up of the Authority's ameliorated system of data and information tools; elaboration of policies and procedures for accessibility and a definition of the level of accessibility to the information by other stakeholders (external to the Authority).

70. The working group noted that the internal uses of the Authority (review of current arrangements for the use of data by the Authority, definition of an Authority model of data management, selection of the type of technology and infrastructure to implement the plan and their financial implications) would have first priority and that external uses would follow.

71. The consultant's terms of reference were focused on the first priority. The consultant concluded that the quality and quantity of data collected by the contractors was highly variable; much of the historical data were available only as

tables or figures in the reports; submissions of historical data lacked key metadata; to date, only few contractors were submitting digital information (Excel, shapefiles) with their annual reports; there was no web-based infrastructure for the contractors to submit their data online. The consultant noted that the technical infrastructure in place at the Authority was a collection of older physical servers, aged switching and previous-generation server operating systems; the overall environment had reached the end of its life cycle and was in need of replacement. Current generation concepts such as virtualization for added management efficiency; and flexibility, security, reliance and performance should be implemented.

72. The consultant also observed that the Authority required a data manager to ensure that the confidential status of the data was maintained; the contents of data submitted complied with requirements; data were correctly catalogued relative to the metadata and; the database was regularly updated, as required, and kept current.

73. The consultant recommended that, in addition to the existing data management policies, the following should be considered in the data management plan: a time limit on confidentiality (to be agreed upon when the new data management model was in place); a database model that must be able to answer basic questions in support of the Authority's mission, including estimating mineable areas, as well as evaluating the environmental impacts of resource exploitation; the model must enable a user to easily summarize the volume and summary content of data collected by the Authority and incorporated into the database (e.g., metadata); the model must have a clear, published and adhered to set of data standards.

74. Regarding the database model, the consultant recommended that the model should: enforce valid values for standards generated for fields such as chemical names and units, species names and DNA taxonomy, which would enable accurate and complete querying; document and enforce established geographic standards; and include the storage and retrieval framework for non-structured data (e.g., photos, videos, scanned graphics), which would be geo-referenced (if applicable). Considering the geographic focus of the project, a spatial database (or geodatabase) was recommended as the database engine for the project. The existing infrastructure required upgrading in order to support the strategy. The recommendation was to use virtual servers wherever possible. Not only did a virtual environment provide far more flexibility than a physical environment, but it was also generally more cost-effective. An enterprise-grade virtual environment was recommended.

75. The consultant provided a schedule of 19 months to implement the first phase as recommended by the Legal and Technical Commission. With regard to the first phase, it is proposed that the Authority undertake the commitment to implement the data management strategy as recommended by both the Commission working group and the external consultant. This will include appointing a consultant and other temporary staff to enable execution of the phase as recommended. During the biennium 2017-2018, the secretariat will systematically execute the following nine tasks recommended to meet the goals of the data management strategy: (a) project initiation; (b) data management plan; (c) information technology design, acquisition and deployment; (d) information technology installation and training; (e) database and user interface development; (f) data migration; (g) database implementation, testing and training; (h) documentation; and (i) first-year implementation support. The execution of each of the tasks will ensure that the secretariat has a data management plan in place by the end of 2018 and fit for purpose, and thus fulfils its

mandates accordingly. The implementation of the data management strategy requires two new posts, a data manager (Professional) and a data entry officer (General Service), as recommended by the consultant and the working group. The new posts would be budgeted under the human resources established posts item of the Authority.

XVI. Capacity development and training

76. There are two main ways in which the Authority seeks to carry out its responsibilities under articles 143 and 144 of the Convention to promote marine scientific research in the Area and build the capacity of developing States in deep-sea research and technology: the training programmes provided by contractors as part of the contracts for exploration in the Area, and the endowment fund for marine scientific research in the Area. The Authority publicized its internship programme in 2014. In addition, since 2011, it has been a host institution under the United Nations-Nippon Foundation of Japan Fellowship Programme for Human Resources Development and Advancement of the Legal Order of the World's Oceans, administered by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the United Nations Secretariat.

A. Contractor training

77. Contractors with the Authority have a legal obligation to provide and fund training opportunities for trainees from developing States and the Authority. From 2013 to date, a total of 45 training places were provided by nine contractors. The types of training include at-sea training, engineering training, fellowship training, master's and PhD programmes and workshop internship.

78. Among the selected trainees, 16 were from the African group (Burkina Faso, Cameroon, the Democratic Republic of the Congo, Egypt, the Gambia, Ghana, Madagascar, Mauritius, Namibia, Nigeria, South Africa and Zambia), 14 were from the Asia-Pacific group (Bangladesh, Cook Islands, Fiji, India, Indonesia, Kiribati, Papua New Guinea, the Philippines, Singapore, Solomon Islands, Thailand), one was from the Eastern European group (Georgia) and 14 were from the Latin American and Caribbean group (Argentina, Brazil, Colombia, Cuba, Jamaica and Mexico). Fourteen of the 45 trainees were female.

79. Since July 2011, a total of 17 exploration contracts have been signed with the Authority, 3 approved plans of work are to be signed in the form of contracts and 1 new application was received in May 2016, which will be considered by the Commission at its meetings in July 2016. If all existing and new contracts, approved plans of work pending signature of contract and extended contracts were implemented pursuant to the recommendations made by the Commission in respect of training programmes, in particular the recommendation that no fewer than 10 training places should be provided in each five-year work programme, it could be expected that about 200 training places would be made available by contractors from 2016 to 2020.

B. Endowment fund for marine scientific research in the Area

80. The endowment fund for marine scientific research in the Area aims to promote and encourage the conduct of marine scientific research in the Area for the benefit of humankind as a whole, in particular by supporting the participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes and offering them opportunities to participate in training, technical assistance and scientific cooperation programmes. Pursuant to the agreed procedures, an advisory panel was appointed by the Secretary-General in 2014 to evaluate applications for assistance from the fund and make recommendations to the Secretary-General.

81. In 2015, with the award of \$14,880 from the endowment fund, INDEEP enabled six young scientists (from Argentina, Chile, South Africa, Brazil and Trinidad and Tobago) to attend the fourteenth Deep-sea Biology Symposium, held in Aveiro, Portugal, from 30 August to 4 September 2015. An award to the Rhodes Academy of Ocean Law and Policy enabled five candidates (from Indonesia, Greece, Fiji, Bulgaria and India) to attend its summer session. An award to the Marco Polo-Zheng He Academy of International Oceans Law and Policy enabled six candidates (from Bangladesh, the Islamic Republic of Iran, Thailand, Turkey and the Russian Federation) to attend its 2015 session.

82. In May 2016, INDEEP reported that resources from the endowment fund had enabled it to invite 28 participants from Namibia, Kenya, Madagascar, Mauritania and Angola to attend a capacity-building workshop on “Biodiversity and connectivity of deep-sea ecosystems in areas targeted by deep-sea mining”, organized by the Ministry of Fisheries and Marine Resources of Namibia in Swakopmund, Namibia, from 11 to 21 April 2016. Participants had been introduced to benthic environments and the associated fauna, the history of deep-sea exploration, animal-sediment interactions, human impacts, sampling and sampling design, metrics used in the characterization of the benthos, ecosystem function and services, life-histories, larval dispersal and connectivity, consideration of mining impacts, management strategies and governance.

83. Awards were also made to the Rhodes Academy and the Marco Polo-Zheng He Academy for 2016, although at a lower level than in previous years. In making its recommendations for 2016, the panel expressed concern about the low level of contributions to the endowment fund in recent years and suggested that the Authority should consider playing the role of a window for scientific research activities in the Area by soliciting projects designed to benefit scientists from developing countries and then seeking financial support targeted at such projects.

84. As at 20 May 2016, a total of 111 scientists or government officials from 45 countries have been beneficiaries of financial support from the endowment fund. The recipients were from Angola, Argentina, Bangladesh, the Plurinational State of Bolivia, Brazil, Bulgaria, Cameroon, Chile, China, Colombia, Cook Islands, Costa Rica, Egypt, Fiji, Greece, Guyana, India, Indonesia, the Islamic Republic of Iran, Jamaica, Kenya, Madagascar, Malaysia, Maldives, Malta, Mauritania, Mauritius, Micronesia, Namibia, Nigeria, Palau, Papua New Guinea, Peru, the Philippines, the Russian Federation, Sierra Leone, South Africa, Sri Lanka, Suriname, Thailand, Tonga, Trinidad and Tobago, Tunisia, Turkey and Viet Nam.

85. The secretariat will continue to take steps to generate interest in the endowment fund on the part of potential donors and institutional partners. In this regard, it is noted that, in paragraph 61 of its resolution 70/235, the General Assembly expressed its appreciation to States that have made contributions to the endowment fund and encouraged States to make additional contributions to the fund. It is also noted that during its twenty-first session, in its decision relating to financial and budgetary matters (ISBA/21/C/18), the Council of the Authority strongly encouraged members of the Authority to make voluntary contributions to the fund. The endowment fund is one of the principal mechanisms for enabling capacity-building in the field of marine scientific research in the deep ocean and the Secretary-General wishes to encourage members of the Authority, other States, relevant international organizations, academic, scientific and technical institutions, philanthropic organizations, corporations and private persons to contribute to it.

C. Internship

86. The purpose of the internship programme is twofold: (a) to provide a framework through which students and young government officials from diverse academic backgrounds gain exposure to the work and functions of the Authority in order to enhance their educational experience and/or gain experience in the work of the Authority; and (b) to enable the Authority to benefit from the assistance of qualified students and young government officials specialized in various skills within the scope of activities of the Authority. The Authority accepts interns on a limited basis, depending on the specific needs of respective offices and their capacity to effectively support, accommodate and supervise the interns.

87. Interns are responsible, where appropriate, for obtaining the necessary visas and arranging their travel to and from Kingston, as well as accommodation and travel in Kingston. They are not financially remunerated by the Authority. Costs and arrangements for travel, visas, accommodation and living expenses are the responsibility of the interns or their sponsoring institutions. The Authority accepts no responsibility for the medical insurance of the interns or costs arising from injury, illness or death that may occur during an internship. Applicants for internship must show proof of valid medical insurance to cover the full period of the internship at the duty station and provide a medical certificate of good health prior to the commencement of the internship. The Authority accepts no responsibility for loss or damage to personal effects that may occur during the internship. After the completion of the internship, the Authority will issue certificates to the interns.

XVII. Relations with the host country

88. The Authority continues to enjoy cordial relations with the host country. As a result of the general election held in February 2016, there was a change of Government in Jamaica. The Authority expects continued close collaboration with the new Government of Jamaica, a privilege it has enjoyed for the past two decades.



Assembly Council

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Report of the Finance Committee

1. During the twenty-second session of the International Seabed Authority, the Finance Committee held eight meetings, between 6 and 11 July 2016.
2. The following members of the Committee participated in the meetings during the twenty-second session: Frida Armas-Pfirter, Francesca Graziani, Olivier Guyonvarch, Pavel Kavina, Ye Minn Thein, Duncan Muhumuza Laki, Olav Myklebust, Reinaldo Storani, David C. M. Wilkens and Shinichi Yamanaka.
3. The following members did not attend the session: Aleksey Bakanov, Changxue Chen, Trecia Elliott and Koteswara Rao.
4. The following member informed the Secretary-General that she had resigned: Nicola Smith.
5. Following past practice, Ahila Sornarajah participated in the meetings of the Finance Committee prior to her formal election by the Assembly for the remainder of the term of office of Nicola Smith.
6. The Committee re-elected Olav Myklebust as Chair and Duncan Muhumuza Laki as Vice-Chair.

I. Agenda

7. The Committee discussed and adopted its agenda, as contained in document [ISBA/22/FC/L.1/Rev.1](#).

II. Budget performance and cost-saving measures

8. The Committee took note of the report on the budget performance for the financial period 1 January 2016 to 31 May 2016 after receiving responses to a number of questions. Taking note of the large costs for the Article 154 review, the members of the Committee expressed the wish that they be informed in advance of large expenditures not foreseen in the budget.



9. The Committee expressed its appreciation to the Secretary-General on the efforts being made to effect savings in the budget of the Authority, requested him to continue those efforts and to submit a report thereon in 2017 and also requested that additional efforts be made to save on conference services-related costs. The Committee also requested the Secretary-General to engage the Committee electronically between sessions, as appropriate, to allow members to conduct exchanges on budgetary issues, in particular on additional savings.

III. Audit report on the finances of the International Seabed Authority for 2015

10. The Committee considered the report of KPMG on the audit of the accounts of the Authority for the year 2015. The Committee took note of the report and the opinion of the auditors that the financial statements of the Authority give a true and fair view of the financial position of the International Seabed Authority, as at 31 December 2015, and of its financial performance and cash flows for the year ended, in accordance with the financial regulations of the Authority and the United Nations System Accounting Standards.

11. The Committee commended the Secretary-General for the Authority's proper accounting records as highlighted by the Auditors in the report.

12. The Committee requested the Secretary-General once again to ensure that the auditors use the correct terminology as used in the Financial Regulations and further requested that funds provided for the Working Capital Fund should be referred to as advances rather than as contributions.

13. In reviewing the financial statements for the year ended 31 December 2015, the Committee sought clarification on a number of items, including budget lines with overexpenditures and underexpenditures. The Committee thanked the Secretary-General for the additional information provided.

IV. Status of the International Seabed Authority Endowment Fund and Voluntary Trust Fund

14. The Committee reviewed the report of the Secretary-General entitled "Possibility, from a legal perspective, of considering advances from the Endowment Fund for Marine Scientific Research in the Area to the Voluntary Trust Fund to be grants" (ISBA/22/FC/2). The Committee agreed with the conclusion contained in the report that the amounts previously transferred in 2003, 2006, 2008 and 2011 from the Pioneer Fund and from the Endowment Fund to the Voluntary Trust Fund shall be treated as grants and are not to be repaid.

15. The Committee reviewed the report of the Secretary-General entitled "Investment options regarding the Endowment Fund of the International Seabed Authority" (ISBA/22/FC/5), which describes the Authority's consultations with the United Nations Joint Staff Pension Fund, the United Nations Federal Credit Union and the United Nations Treasury on the Treasury-managed cash pool and the low level of interest income earned by the Endowment Fund. It was noted that with respect to the United Nations Treasury cash pool, the funds are readily available

without early withdrawal penalty and the interest earned is competitive. The Committee believed that investment of the Fund with the United Nations Treasury was a safe and appropriate option.

16. The Committee reviewed and took note of the expenditure verification report of the Voluntary Trust Fund for the 2014-2015 financial period prepared by KPMG, the Authority's independent external auditors.

17. The Committee took note of the balance of the Endowment Fund in the amount of US\$ 3,482,623 as at 30 June 2016, including interest accrued in 2016 of \$15,845, intended to be utilized to support the participation of qualified scientists and technical personnel from developing countries in marine scientific research and approved programmes.

18. The Committee expressed its gratitude for the contributions made to the Endowment Fund by IFREMER in the amount of \$2,777 made on 28 October 2015 and to the Government of Mexico for the contribution of \$7,500 made on 6 November 2015.

19. The Committee also took note of the balance of the Voluntary Trust Fund in the amount of \$200,099, as at 30 June 2016.

20. The Committee expressed its gratitude for the two contributions to the Voluntary Trust Fund received from the Government of China on 6 August 2015 and 3 June 2016, amounting to \$40,000, and the two contributions received from the Government of Argentina on 12 November 2015 and 8 May 2016, amounting to \$10,000.

21. During the discussion on the Voluntary Trust Fund, it was noted that the rules governing the management and operation of the fund were last updated in 2003 and that there might be a need to review and update them. The Committee requested that the Secretary-General prepare a report on the subject for its next meeting.

V. Working Capital Fund

22. The Committee took note of the status of the Working Capital Fund as at 30 June 2016 with advances of \$558,967 out of a ceiling of \$560,000.

23. The Committee reviewed the note by the Secretary-General entitled "Working Capital Fund" ([ISBA/22/FC/4](#)) and considered increasing the level of the Fund to a level closer to the normal level of one twelfth of the estimated annual expenditures of the Authority. The Committee considers that the new appropriate level of the Working Capital Fund would be \$660,000. The Committee recommended that the contributions related to the increase be spread over the next two bienniums.

24. The Committee agreed that each member State's share of the Working Capital Fund should be based on the Authority's scale of assessments for 2017-2018, which should be applied accordingly to the total amount of the Working Capital Fund of \$660,000.

VI. Status of implementation of the International Public Sector Accounting Standards

25. The Committee took note of the report of the Secretary-General on the status of implementation of the International Public Sector Accounting Standards (IPSAS) ([ISBA/22/FC/CRP.1](#)).

26. The Committee recognized the importance of the adoption of IPSAS in view of the Authority's participation in the United Nations common system and noted with appreciation that the implementation of IPSAS is proceeding on schedule.

VII. Budget for the financial period 2017-2018

27. The Committee examined the proposed budget of the International Seabed Authority for the financial period 2017-2018 ([ISBA/22/A/6-ISBA/22/C/9](#)) in the amount of \$17,966,900, representing an increase of 14.1 per cent over the amount for the previous biennium. In examining the budget, the Committee considered the increase in the core work of the Authority and the overall increase in the proposed budget for 2017-2018 in relation to that for 2015-2016. It appreciated the Secretary-General's use of the new programme budget format and the emphasis given to programme 2.1, Development of the regulatory framework in the Area, and programme 2.4, Data management (resource and environment).

28. The Committee appreciated the presentation by the Chair of the Legal and Technical Commission, who informed the Finance Committee of the importance and priority of programme 2.4 and described key items contained in document [ISBA/22/LTC/15](#), entitled "Data management strategy of the International Seabed Authority". The Committee decided to continue its practice of inviting the Chair of the Legal and Technical Commission to report on current matters of the Legal and Technical Commission with financial implications.

29. The Committee considered proposed increases in costs related to staffing, overtime, consultants in both administrative and programme areas, common staff costs, library books, supplies and materials, the United Nations common system, miscellaneous services, information technology related particularly to programme 2.4, audit fees, International Public Sector Accounting Standards and conference services, as well as proposed reductions related to the acquisition of furniture and equipment, and building management. The Committee also considered the addition of a new budget item concerning the Article 154 review.

30. The Committee expressed its concern with regard to the large increase in conference services expenditures in recent years. Following discussions, the Secretary-General and the Committee agreed on the following steps to effect savings with respect to conference services:

(a) The Secretary-General will initiate high-level consultations with the United Nations on the terms and conditions of conference services provided in the future;

(b) The interpretation services for the meetings of the Legal and Technical Commission and the Finance Committee will be procured in the form of an open tender starting in 2017;

(c) New York-based United Nations support staff will be replaced by national personnel in Jamaica beginning in 2017;

(d) The Secretary-General will look into the possibility of reducing the number of languages interpreted during meetings of the Legal and Technical Commission and the Finance Committee in the case where membership of those bodies eliminates the necessity to interpret in any of the six languages from the outset;

(e) The Secretary-General will present a thorough report on conference services costs and possible further cost-saving measures to the Committee in 2017.

31. Following discussions with the Committee, during which different options were proposed, including zero nominal growth, the Secretary-General revised the proposed budget. The Committee recommends for approval the revised budget for the financial period 2017-2018 in the amount of \$17,130,700, as contained in annex I to the present report. The revised budget reflects an increase of 8.81 per cent over the amount for the previous biennium.

32. The Committee expressed its gratitude to the Secretary-General for providing further details, upon request, on several budget items and said that it would welcome receiving further details in the narrative of the budget proposals in future, including the breakdown of projected costs in respect of large items of expenditure, or those items in which a significant variance is proposed.

33. The Committee also recommends that, for the financial period 2017-2018, the Secretary-General be authorized to transfer between appropriations subsections of the administrative budget, and between individual programmes, up to 20 per cent of the amount in each subsection, section or individual programme.

34. In line with paragraph 10.6 of the annex to the Assembly's decision concerning overhead charges for the administration and supervision of exploration contracts (ISBA/19/A/12), the Committee requested the Secretary-General to prepare a first periodic report to the Committee in 2017 on the amount of the annual overhead charge and its reflection of costs actually and reasonably incurred.

35. The Committee noted that the estimate of the miscellaneous income takes into account the expected overhead charges for 2017 and 2018.

36. As mentioned in its 2015 report, the Committee will keep the new budget format under review and may in future recommend changes to further improve accountability, transparency and programme management. The Committee requested the Secretary-General to report on this matter in 2017.

VIII. Scale of assessments for 2017-2018

37. The Committee recommends that, in line with article 160 (2) (e) of the United Nations Convention on the Law of the Sea, the scale of assessments relating to the budget of the International Seabed Authority for 2017 and 2018 be based on the scale of assessments used for the regular budget of the United Nations for 2016 and 2017, respectively, taking into account the ceiling assessment rate of 22 per cent and the floor assessment rate of 0.01 per cent. An indicative table of assessed contributions for 2017 is set out in annex IV to the present report.

38. Taking into account the projected decreased income from sources other than assessed contributions, member States will be required to finance an amount that is estimated to be \$1,477,502 or 12.78 per cent more than the amount financed for the biennium 2015-2016 as set out in annex II to the present report.

IX. Consideration of the interim report of the Review Committee established to oversee the review pursuant to article 154 of the Convention

39. In response to an invitation from the Chair of the Review Committee, the Committee considered the interim report prepared by Seascope Consultants Limited, as well as the comments by the Review Committee, and agreed to transmit the comments set out in annex V to the present report.

X. Other matters

40. The Committee expressed its concern at the increase in the level of outstanding contributions from 30 June 2015 to 30 June 2016, from \$651,531 to \$949,180, from member States in arrears for more than two years for prior periods (1998-2015) and requested the Secretary-General, at his discretion, to prioritize his efforts directed towards the larger debtors and to continue his efforts to recover those amounts.

41. The Committee appreciated the advance publication of its documents on the Authority's website and, recalling article 3.4 of the Financial Regulations, requested the Secretary-General to make the next budget proposal available to Finance Committee members 45 days prior to its meetings.

XI. Recommendations of the Finance Committee

42. In the light of the foregoing, the Committee recommended that the Council and the Assembly of the Authority:

(a) *Approve* the budget for the financial period 2017-2018, in the amount of \$17,130,700 as proposed by the Secretary-General;

(b) *Take note* of the high rate of increase in conference services costs and the cost-saving measures in this regard and request the Secretary-General to initiate high-level consultations with the United Nations on this issue and to prepare a report on conference services costs for the Committee in 2017;

(c) *Approve* the investment of the Authority's Endowment Fund for Marine Scientific Research in the Area with the United Nations Treasury;

(d) *Also approve* an increase in the Working Capital Fund by \$100,000 to a total of \$660,000 and for the increase to be spread evenly over the next two bienniums, to be determined using the Authority's current scale of assessments applied to the total value of the Working Capital Fund;

(e) *Take note* of the Authority's progress in implementing the International Public Sector Accounting Standards (IPSAS);

(f) *Authorize* the Secretary-General to establish the scale of assessments for 2017 and 2018 on the basis of the scale used for the regular budget of the expenses of the United Nations for 2016 and 2017, respectively, taking into account that the ceiling assessment rate will be 22 per cent and the floor rate 0.01 per cent;

(g) *Also authorize* the Secretary-General, for 2017 and 2018, to transfer between appropriation subsections of the administrative budget and between individual programmes, up to 20 per cent of the amount in each subsection, section or individual programme;

(h) *Take into account* the Committee's comments on the interim report on the periodic review of the Authority pursuant to article 154 of the United Nations Convention on the Law of the Sea¹ and comments of the Review Committee established to oversee the review;

(i) *Urge* the members of the Authority to pay their assessed contributions to the budget on time and in full;

(j) *Note with concern* the increasing amounts of outstanding contributions, appeal yet again to the members of the Authority to pay outstanding contributions to the budget of the Authority from previous years as soon as possible and request the Secretary-General, at his discretion, to continue his efforts to recover these amounts;

(k) *Strongly encourage* members to make voluntary contributions to the Endowment Fund and Voluntary Trust Fund of the Authority.

¹ United Nations, *Treaty Series*, vol. 1833, No. 31363.

Annex I

Summary of budgetary requirements for the International Seabed Authority for the period 1 January 2017 to 31 December 2018

(Thousands of United States dollars)

Budget line	Approved for			Total for 2017/2018	Increase (decrease)	
	2015/2016	2017	2018		Amount	Percentage
Formula	(1)	(2)	(3)	(4)=(2)+(3)	(5)=(4)-(1)	(6)=(5)/(1)
Section 1	Administrative and conference services expenditures					
Subsection 1	Administrative expenditures of the Secretariat					
Established posts	6 081 200	3 100 000	3 100 000	6 200 000	118 800	2.0
General temporary assistance	30 000	15 500	16 000	31 500	1 500	5.0
Overtime	31 600	35 000	36 600	71 600	40 000	126.6
Consultants (non-programme)	315 000	10 300	10 700	21 000	(294 000)	nmf
Common staff costs	2 706 300	1 505 000	1 575 000	3 080 000	373 700	13.8
Training	63 000	31 500	31 500	63 000	–	0.0
Official travel (non-programme)	480 100	91 200	96 600	187 800	(292 300)	nmf
Communications	200 700	100 300	100 400	200 700	–	0.0
Library books and supplies	136 000	68 000	68 000	136 000	–	0.0
External printing (20 per cent will be non-programme-related)	100 000	11 000	11 000	22 000	(78 000)	nmf
Supplies and materials	80 300	40 100	40 200	80 300	–	0.0
Official hospitality	22 000	11 500	12 000	23 500	1 500	6.8
Information technology	171 500	98 000	27 900	125 900	(45 600)	(26.6)
Acquisition of furniture and equipment	262 700	81 000	73 000	154 000	(108 700)	(41.4)
Rental, repairs and maintenance of property and equipment	23 000	12 000	12 000	24 000	1 000	4.3
United Nations common system	166 000	83 000	83 000	166 000	–	0.0
Miscellaneous services	109 600	56 000	56 500	112 500	2 900	2.6
Audit fees	34 600	20 000	20 000	40 000	5 400	15.6
Building management	876 900	410 000	418 000	828 000	(48 900)	(5.6)
Article 154 review and related costs	–	80 000	–	80 000	80 000	nmf
International Public Sector Accounting Standards (IPSAS)	120 000	60 000	60 000	120 000	–	0.0
Ad hoc expert groups workshops	570 900	–	–	–	(570 900)	nmf
Central data repository	130 000	–	–	–	(130 000)	nmf
Promotion and encouragement	100 000	–	–	–	(100 000)	nmf
Subtotal	12 811 400	5 919 400	5 848 400	11 767 800	(1 043 600)	(8.1)

Budget line	Approved for			Total for 2017/2018	Increase (decrease)		
	2015/2016	2017	2018		Amount	Percentage	
	(1)	(2)	(3)		(4)=(2)-(1)	(5)=(3)/(1)	
Subsection 2							
Conference services	2 931 700	1 965 000	1 965 000	3 930 000	998 300	34.1	
Assembly	381 100	255 450	255 450	510 900	129 800	34.1	
Council	586 300	393 000	393 000	786 000	199 700	34.1	
Finance Committee	322 500	216 150	216 150	432 300	109 800	34.1	
Legal and Technical Commission	1 641 800	1 100 400	1 100 400	2 200 800	559 000	34.1	
Subtotal	2 931 700	1 965 000	1 965 000	3 930 000	998 300	34.1	
Total section 1	Administrative and conference services expenditures	15 743 100	7 884 400	7 813 400	15 697 800	(45 300)	(0.3)
Section 2	Programme expenditures						
Programme 2.1	Development of the regulatory framework for activities in the Area						
Consultants	–	45 200	45 200	90 400	–	–	
External printing	–	–	12 400	12 400	–	–	
Travel	–	45 600	45 600	91 200	–	–	
Workshops	–	–	120 800	120 800	–	–	
Subtotal	–	90 800	224 000	314 800	–	–	
Programme 2.2	Protection of the marine environment						
Consultants	–	19 400	19 400	38 800	–	–	
External printing	–	600	11 800	12 400	–	–	
Travel	–	7 600	7 600	15 200	–	–	
Workshops	–	120 800	–	120 800	–	–	
Subtotal	–	148 400	38 800	187 200	–	–	
Programme 2.3	Management of contracts						
Consultants	–	–	–	–	–	–	
External printing	–	–	–	–	–	–	
Travel	–	15 200	15 200	30 400	–	–	
Workshops	–	2 900	3 200	6 100	–	–	
Subtotal	–	18 100	18 400	36 500	–	–	
Programme 2.4	Data management (resource and environment)						
Consultants	–	296 000	10 200	306 200	–	–	
Information technology	–	206 900	2 500	209 400	–	–	
External printing	–	9 600	20 700	30 300	–	–	
Travel	–	24 000	4 000	28 000	–	–	
Central data repository	–	–	–	–	–	–	

Budget line	Approved for			Total for 2017/2018	Increase (decrease)		
	2015/2016	2017	2018		Amount	Percentage	
Formula	(1)	(2)	(3)	(4)=(2)+(3)	(5)=(4)-(1)	(6)=(5)/(1)	
Workshops	-	-	-	-	-	-	
Maintenance and support	-	-	35 900	35 900	-	-	
Subtotal	-	536 500	73 300	609 800	-	-	
Programme 2.5	Promotion and encouragement of marine scientific research in the Area						
Consultants	-	9 700	9 700	19 400	-	-	
External printing	-	-	12 400	12 400	-	-	
Travel	-	7 600	7 600	15 200	-	-	
Workshops	-	-	120 800	120 800	-	-	
Subtotal	-	17 300	150 500	167 800	-	-	
Programme 2.6	Outreach activities						
Consultants	-	11 300	11 300	22 600	-	-	
External printing	-	600	600	1 200	-	-	
Travel	-	15 200	15 200	30 400	-	-	
Workshops	-	-	62 600	62 600	-	-	
Subtotal	-	27 100	89 700	116 800	-	-	
Total section 2	Programme expenditures	-	838 200	594 700	1 432 900	-	
Total administrative, conference services and programme expenditures		15 743 100	8 722 600	8 408 100	17 130 700	1 387 600	8.81

Abbreviation: nmf, not meaningful.

Annex II

International Seabed Authority income, expenses and miscellaneous income

(Thousands of United States dollars)

	2015-2016	2017-2018	Change from 2015-2016 to 2017-2018	Change from 2015-2016 to 2017-2018 (percentage)
<i>Biennium budget proposed</i>	15 743 100	17 130 700	1 387 557	8.81
Less income				
Estimated savings (biennium 2013-2014)	(781 400)	–	–	–
Estimated savings (biennium 2015-2016)	–	(40 571)	–	–
Expected contractor overhead charges	(1 081 000)	(2 397 000)	1 316 000	121.7
Contractor extension application processing fees received during 2016 and 2017	–	(469 000)	–	–
Miscellaneous income accumulated during 2013	(2 121 321)	–	–	–
Miscellaneous income accumulated during 2015	–	(987 205)	–	–
Subtotal income	(3 983 721)	(3 893 776)	(89 945)	(2.3)
Total net contributions required	11 759 379	13 236 924	1 477 545	12.6
Net contributions required for each year of the biennium	5 879 690	6 618 462	738 772	12.6
Less: European Union assessment	(100 000)	(100 000)	–	0.0
Total assessed	5 779 690	6 518 462	738 772	12.78

Note: It is expected so far that, in 2017-2018, income will be 2.3 per cent, or \$89,945, less, owing to lower levels of miscellaneous income as a result of fewer applications from contractors and hence lower contractor application processing fees.

The estimated total to be assessed to Member States will increase from \$5,779,690 for each year in the biennium 2015-2016 to \$6,518,462 for each year in the biennium 2017-2018.

Annex III

Secretariat of the International Seabed Authority: staffing table

<i>Functional title</i>	<i>Professional</i>	<i>National Officer</i>	<i>General Service</i>
Office of the Secretary-General			
Secretary-General	1 (USG)		
Webmaster/Publications Officer	1 (P-4)		
Associate Protocol Officer	1 (P-2)		
Executive Assistant			1
Protocol/Administrative Assistant			1
Administrative Assistant (New York office)			1
Office of Legal Affairs			
Legal Counsel/Deputy to the Secretary-General	1 (D-2)		
Senior Legal Officer	1 (P-5)		
Legal Officer	1 (P-4)		
Legal Officer	1 (P-4)		
Librarian	1 (P-3)		
Training Coordinator			
Administrative Assistant		1	
Administrative Assistant			1
Office of Resources and Environmental Monitoring			
Head of office	1 (D-1)		
Scientific Affairs Officer (Mineral Economist)	1 (P-5)		
Scientific Officer (Marine Geologist)	1 (P-5)		
Scientific Officer (Marine Biologist)	1 (P-4)		
Scientific Officer (geographic information system (GIS))	1 (P-3)		
Scientific Affairs Officer			
Data Analyst	1 (P-3)	1	
Data Entry Assistant			
Administrative Assistant			1
Information and Communications Technology Officer	1 (P-4)		
Scientific Officer	1 (P-3)		
Information Technology Assistant			1
Office of Administration and Management			
Executive Officer	1 (D-1) ^a		
Administrative Assistant			1
Budget/Internal Oversight Officer	1 (P-4)		
Finance Officer	1 (P-4)		
Human Resources Officer	1 (P-3)		

<i>Functional title</i>	<i>Professional</i>	<i>National Officer</i>	<i>General Service</i>
Human Resources Assistant			1
Procurement Assistant			1
Budget and Treasury Assistant			1
Finance Assistant			1
Senior Security Officer	1 (P-2)		
Security Officer			1
Security Officer			1
Driver			1
Driver			1
Driver			1
Total posts	21	2	18

^a In 2015, an external consultant recommended an upgrade of the Executive Officer post from the P-5 level to the D-1 level, following a review of the duties and responsibilities of the post.

Annex IV

Indicative scale of assessed contributions for 2017

Based on regular budget scale of the United Nations for 2016

(United States dollars)

Biennium budget approved (see annex I)	17 130 700
Less: estimated surplus of biennium 2015-2016 and income (see annex II)	(3 893 776)
Total net requirements	13 236 924
Net requirements for each year	6 618 462
Total assessed less European Union (100 000)	6 518 462
Total fixed floor rate	41 718

No.	Member State	United Nations assessment (percentage)	International Seabed Authority assessment (percentage)	United States dollars
1.	Albania	0.008	0.011	717
2.	Algeria	0.161	0.217	14 145
3.	Angola	0.010	0.013	847
4.	Antigua and Barbuda	0.002	0.010	652
5.	Argentina	0.892	1.202	78 352
6.	Armenia	0.006	0.010	652
7.	Australia	2.337	3.148	205 201
8.	Austria	0.720	0.970	63 229
9.	Bahamas	0.014	0.019	1 239
10.	Bahrain	0.044	0.059	3 846
11.	Bangladesh	0.010	0.013	847
12.	Barbados	0.007	0.010	652
13.	Belarus	0.056	0.075	4 889
14.	Belgium	0.885	1.192	77 700
15.	Belize	0.001	0.010	652
16.	Benin	0.003	0.010	652
17.	Bolivia (Plurinational State of)	0.001	0.010	652
18.	Bosnia and Herzegovina	0.013	0.018	1 173
19.	Botswana	0.014	0.019	1 239
20.	Brazil	3.823	5.150	335 701
21.	Brunei Darussalam	0.029	0.039	2 542
22.	Bulgaria	0.045	0.061	3 976
23.	Burkina Faso	0.004	0.010	652
24.	Cabo Verde	0.001	0.010	652

<i>No.</i>	<i>Member State</i>	<i>United Nations assessment (percentage)</i>	<i>International Seabed Authority assessment (percentage)</i>	<i>United States dollars</i>
25.	Cameroon	0.010	0.013	847
26.	Canada	2.921	3.935	256 501
27.	Chad	0.005	0.010	652
28.	Chile	0.399	0.537	35 004
29.	China	7.921	10.670	695 520
30.	Comoros	0.001	0.010	652
31.	Congo	0.006	0.010	652
32.	Cook Islands	0.001	0.010	652
33.	Costa Rica	0.047	0.063	4 107
34.	Côte d'Ivoire	0.009	0.012	782
35.	Croatia	0.099	0.133	8 670
36.	Cuba	0.065	0.088	5 736
37.	Cyprus	0.043	0.058	3 781
38.	Czech Republic	0.344	0.463	30 180
39.	Democratic Republic of the Congo	0.008	0.011	717
40.	Denmark	0.584	0.787	51 300
41.	Djibouti	0.001	0.010	652
42.	Dominica	0.001	0.010	652
43.	Dominican Republic	0.046	0.062	4 041
44.	Ecuador	0.067	0.090	5 867
45.	Egypt	0.152	0.205	13 363
46.	Equatorial Guinea	0.010	0.013	847
47.	Estonia	0.038	0.051	3 324
48.	Fiji	0.003	0.010	652
49.	Finland	0.456	0.614	40 023
50.	France	4.859	6.545	426 633
51.	Gabon	0.017	0.023	1 499
52.	Gambia	0.001	0.010	652
53.	Georgia	0.008	0.011	717
54.	Germany	6.389	8.606	560 979
55.	Ghana	0.016	0.022	1 434
56.	Greece	0.471	0.634	41 327
57.	Grenada	0.001	0.010	652
58.	Guatemala	0.028	0.038	2 477
59.	Guinea	0.002	0.010	652
60.	Guinea-Bissau	0.001	0.010	652
61.	Guyana	0.002	0.010	652
62.	Haiti	0.003	0.010	652
63.	Honduras	0.008	0.011	717

<i>No.</i>	<i>Member State</i>	<i>United Nations assessment (percentage)</i>	<i>International Seabed Authority assessment (percentage)</i>	<i>United States dollars</i>
64.	Hungary	0.161	0.217	14 145
65.	Iceland	0.023	0.031	2 021
66.	India	0.737	0.993	64 728
67.	Indonesia	0.504	0.679	44 260
68.	Iraq	0.129	0.174	11 342
69.	Ireland	0.335	0.451	29 398
70.	Italy	3.748	5.049	329 117
71.	Jamaica	0.009	0.012	782
72.	Japan	9.680	13.039	849 942
73.	Jordan	0.020	0.027	1 760
74.	Kenya	0.018	0.024	1 564
75.	Kiribati	0.001	0.010	652
76.	Kuwait	0.285	0.384	25 031
77.	Lao People's Democratic Republic	0.003	0.010	652
78.	Latvia	0.050	0.067	4 367
79.	Lebanon	0.046	0.062	4 041
80.	Lesotho	0.001	0.010	652
81.	Liberia	0.001	0.010	652
82.	Lithuania	0.072	0.097	6 323
83.	Luxembourg	0.064	0.086	5 606
84.	Madagascar	0.003	0.010	652
85.	Malawi	0.002	0.010	652
86.	Malaysia	0.322	0.434	28 290
87.	Maldives	0.002	0.010	652
88.	Mali	0.003	0.010	652
89.	Malta	0.016	0.022	1 434
90.	Marshall Islands	0.001	0.010	652
91.	Mauritania	0.002	0.010	652
92.	Mauritius	0.012	0.016	1 043
93.	Mexico	1.435	1.933	126 002
94.	Micronesia (Federated States of)	0.001	0.010	652
95.	Monaco	0.010	0.013	847
96.	Mongolia	0.005	0.010	652
97.	Montenegro	0.004	0.010	652
98.	Morocco	0.054	0.073	4 758
99.	Mozambique	0.004	0.010	652
100.	Myanmar	0.010	0.013	847
101.	Namibia	0.010	0.013	847
102.	Nauru	0.001	0.010	652

<i>No.</i>	<i>Member State</i>	<i>United Nations assessment (percentage)</i>	<i>International Seabed Authority assessment (percentage)</i>	<i>United States dollars</i>
103.	Nepal	0.006	0.010	652
104.	Netherlands	1.482	1.996	130 109
105.	New Zealand	0.268	0.361	23 532
106.	Nicaragua	0.004	0.010	652
107.	Niger	0.002	0.010	652
108.	Nigeria	0.209	0.282	18 382
109.	Niue	0.001	0.010	652
110.	Norway	0.849	1.144	74 571
111.	Oman	0.113	0.152	9 908
112.	Pakistan	0.093	0.125	8 148
113.	Palau	0.001	0.010	652
114.	Panama	0.034	0.046	2 998
115.	Papua New Guinea	0.004	0.010	652
116.	Paraguay	0.014	0.019	1 239
117.	Philippines	0.165	0.222	14 471
118.	Poland	0.841	1.133	73 854
119.	Portugal	0.392	0.528	34 417
120.	Qatar	0.269	0.362	23 597
121.	Republic of Korea	2.039	2.747	179 062
122.	Republic of Moldova	0.004	0.010	652
123.	Romania	0.184	0.248	16 166
124.	Russian Federation	3.088	4.160	271 168
125.	Saint Kitts and Nevis	0.001	0.010	652
126.	Saint Lucia	0.001	0.010	652
127.	Saint Vincent and the Grenadines	0.001	0.010	652
128.	Samoa	0.001	0.010	652
129.	Sao Tome and Principe	0.001	0.010	652
130.	Saudi Arabia	1.146	1.544	100 645
131.	Senegal	0.005	0.010	652
132.	Serbia	0.032	0.043	2 803
133.	Seychelles	0.001	0.010	652
134.	Sierra Leone	0.001	0.010	652
135.	Singapore	0.447	0.602	39 241
136.	Slovakia	0.160	0.216	14 080
137.	Slovenia	0.084	0.113	7 366
138.	Solomon Islands	0.001	0.010	652
139.	Somalia	0.001	0.010	652
140.	South Africa	0.364	0.490	31 940
141.	Spain	2.443	3.291	214 523

<i>No.</i>	<i>Member State</i>	<i>United Nations assessment (percentage)</i>	<i>International Seabed Authority assessment (percentage)</i>	<i>United States dollars</i>
142.	Sri Lanka	0.031	0.042	2 738
143.	State of Palestine	0.0035	0.010	652
144.	Sudan	0.010	0.013	847
145.	Suriname	0.006	0.010	652
146.	Swaziland	0.002	0.010	652
147.	Sweden	0.956	1.288	83 958
148.	Switzerland	1.140	1.536	100 124
149.	Thailand	0.291	0.392	25 552
150.	The former Yugoslav Republic of Macedonia	0.007	0.010	652
151.	Timor-Leste	0.003	0.010	652
152.	Togo	0.001	0.010	652
153.	Tonga	0.001	0.010	652
154.	Trinidad and Tobago	0.034	0.046	2 998
155.	Tunisia	0.028	0.038	2 477
156.	Tuvalu	0.001	0.010	652
157.	Uganda	0.009	0.012	782
158.	Ukraine	0.103	0.139	9 061
159.	United Kingdom of Great Britain and Northern Ireland	4.463	6.012	391 890
160.	United Republic of Tanzania	0.010	0.013	847
161.	Uruguay	0.079	0.106	6 910
162.	Vanuatu	0.001	0.010	652
163.	Viet Nam	0.058	0.078	5 084
164.	Yemen	0.010	0.013	847
165.	Zambia	0.007	0.010	652
166.	Zimbabwe	0.004	0.010	652
		73.92	100.00	6 518 592
International organizations in accordance with annex IX				
167.	European Union			100 000
				6 618 592

Annex V

Comments by the Finance Committee on the interim report on the periodic review of the International Seabed Authority pursuant to Article 154 of the United Nations Convention of the Law of the Sea and the comments by the Review Committee

To: Ambassador Helmut Tuerk,
Chair of the Review Committee

Thank you for your letter of 25 May 2016 forwarding the interim report prepared by Seascope Consultants Ltd. pursuant to the decision of the Assembly of the International Seabed Authority (the “Article 154 report”) and the comments of the Review Committee on that report (the “Review Committee comments”). The Finance Committee discussed both documents at its latest session, held from 6 to 11 July 2016.

As a preliminary point the Committee noted that the response rate to the questionnaire prepared by the authors of the Article 154 report was relatively low, with 56.5 per cent of responses originating from one geographical group only. It also noted the conclusion on page 69 of the report that “very few comments were contributed regarding the Finance Committee”, and that not all members of the Finance Committee had received the questionnaire.

In that context, the Committee had the following comments for transmission to the Assembly for consideration at its twenty-second session:

Timing/scheduling of Finance Committee meetings

Recommendation 29 of the Article 154 report states that the Authority should “review the timing of the Finance Committee meetings within the annual session cycle”. The Review Committee comments also suggest that the “Finance Committee should be in a position to consider issues with financial implications arising during the meetings of the respective organs”.

The Finance Committee considers that it would be both impractical and expensive to meet both before and throughout the entire duration of the session of the Authority, and that it has been able to effectively deal with the financial implications of the decisions of the Legal and Technical Commission through pragmatic interaction, so that the Council is presented with the opinion of both the Legal and Technical Commission and the Finance Committee on the same issue during the same session. For example, it has asked the Chair of the Legal and Technical Commission to brief the Finance Committee on issues with financial implications, such as data management. Furthermore, it would be difficult to respond, within a short period during the session, to requests for recommendations of the Finance Committee; such recommendations must be based on relevant data and information provided by the Secretariat and thorough consideration of the issue at hand. This does not seem achievable within the duration of one session. In addition, while the Committee acknowledges that it will have more work in future, this is not yet the case.

Accordingly, the Committee considers the current timing and duration of meetings fit for purpose. Any changes now would only lead to the incurring of unnecessary cost and be contrary to the requirement in section 1(2) of the 1994 Agreement on Implementation of the Seabed Provisions of the Convention on the Law of the Sea that “the frequency, duration, and scheduling of meetings of all organs of the Authority be cost effective”.

Transparency

Recommendation 29 of the report also states that the Authority “should publish the proposed budget as well as a final proposal to the Assembly to ensure transparency”.

The Committee underlines that regulation 3.4 of the Financial Regulations of the International Seabed Authority already requires the Secretary-General to transmit his proposed budget to the Finance Committee “at least 45 days prior to the meeting of the Finance Committee at which it is to be considered”, and that the proposed budget also be transmitted to all members of the Authority “at least 45 days prior to the opening of the session of the Council and the Assembly”. Although we note the proposed budget has been published by the Secretariat, the Committee considers that the Secretary-General should comply with the regulations regarding the time frame for transmitting the proposed budget to both the Finance Committee and the wider membership.

The Finance Committee budget proposal is published as soon as it is translated into the official languages, along with the Committee’s final report.

Voluntary Trust Fund

Recommendation 30 of the report states that “consideration should be given to any implications for the sustainability of the Voluntary Trust Fund if and when the increased workload of the Authority results in more meetings and an increased requirement for voluntary contributions”.

The Committee considers that the funds available in the Voluntary Trust Fund to date have been sufficient for current needs. It is also not yet certain that the Authority will have to hold more meetings. The Committee always recommends that the Assembly request Member States to make further voluntary contributions, and will keep the sufficiency of the Voluntary Trust Fund under review in the case where applications to the Fund increase.

Impartiality of Finance Committee members

The Review Committee states that “it would be desirable that members of the Finance Committee do not act as delegates from their respective country in other organs of the Authority in respect of matters that are within the competence of that Committee”.

The Committee members disagree with this point, and consider that Finance Committee membership does not raise conflicts of interest with participation in other

organs of the Authority. As the Article 154 report reflects, Member States provide the bulk of the Authority's financing. Accordingly, it is appropriate, and to be expected, that they should be in a position to scrutinize the way in which that money is managed, and make recommendations on how spending should be prioritized. In addition, requiring that members not act as delegates in other meetings of the Authority would present difficulties for smaller delegations. The Committee considers that the issue of impartiality of members of the Finance Committee is already appropriately addressed in rule 10 of the Rules of the Finance Committee, which states that "members of the Committee shall have no financial interest in any activity relating to matters upon which the Committee has the responsibility to make recommendations".

Strategic planning

The Article 154 report records perceptions that the Finance Committee is concerned more about the bottom line or total budget level than about directing its attention to programme delivery or efficiency. These perceptions do not reflect the Committee's approach. The Committee points to its recent reform of the format of the budget to include introduction of a new section for programmes of the Authority. In recommending the new format, the Finance Committee has already noted that this would enhance accountability, transparency and strategic decision-making and enable detailed reporting on the results achieved in each programme area.

Financial implications of Article 154 report recommendations

The Committee notes that many of the recommendations in the Article 154 report would lead to the incurring of financial implications if implemented, which would have to be reviewed by the Committee in the light of the current priorities of the Authority.

I would be grateful if you would forward these comments of the Finance Committee on the interim Article 154 report, as well as on the Review Committee comments, to the Assembly for consideration at its twenty-second session.

(Signed) Olav Myklebust
Chair, Finance Committee



Assembly

Distr.: General
21 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Decision of the Assembly of the International Seabed Authority concerning the appointment of the Secretary-General of the International Seabed Authority

The Assembly of the International Seabed Authority,

*Acting in accordance with article 160, paragraph 2 (b), of the United Nations
Convention on the Law of the Sea of 10 December 1982,¹*

*Elects, by acclamation, Mr. Michael William Lodge (United Kingdom) as
Secretary-General of the International Seabed Authority for a four-year term from
1 January 2017 to 31 December 2020.*

159th meeting
21 July 2016

¹ United Nations, *Treaty Series*, vol. 1833, No. 31363.





Assembly

Distr.: General
21 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Decision of the Assembly regarding the interim report of the first periodic review of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea

The Assembly of the International Seabed Authority,

Recalling article 154, part XI, of the United Nations Convention on the Law of the Sea,¹

Recalling also its decision of 24 July 2015 at the twenty-first session of the International Seabed Authority,²

Taking note of the interim report by Seascope Consultants Limited dated 15 May 2016,³ the comments of the Review Committee,⁴ the comments of the Legal and Technical Commission,⁵ the comments of the Finance Committee⁶ and the comments of the secretariat,⁷

Taking note also of the oral report by the Chair of the Review Committee and the deliberations of the Assembly under agenda item 9, entitled “Consideration of the interim report of the review committee established pursuant to the decision of the Assembly (ISBA/21/A/9/Rev.1) to oversee the periodic review of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea”,

Expressing its appreciation for the timely submission of the interim report, and taking note of the work performed by the consultants and the Review Committee,

1. *Decides* to provide States parties, observers and stakeholders, in the light of the aforementioned comments and deliberations, a further opportunity to submit written observations on the interim report, and the comments thereto, before

¹ United Nations, *Treaty Series*, vol. 1833, No. 31363.

² ISBA/21/A/9/Rev.1.

³ ISBA/22/A/CRP.3(1).

⁴ ISBA/22/A/CRP.3(2).

⁵ ISBA/22/A/CRP.3(3).

⁶ ISBA/22/A/CRP.3(4).

⁷ ISBA/22/A/CRP.3(5).



15 October 2016, including, if they had not done so, to reply to the questionnaire drawn up by Seascope Consultants Limited;

2. *Requests* the Review Committee to entrust Seascope Consultants Limited with the production of a revised interim report, taking into account the observations made in the Assembly at the twenty-second session of the International Seabed Authority, as well as any other comments received under paragraph 1 above, before 15 January 2017;

3. *Requests* the Secretary-General to facilitate, from within existing resources, in 2017, meetings of the Review Committee and the finalization of the report of the article 154 review;

4. *Requests* the Secretary-General to transmit the draft final report, as approved by the Review Committee, to States parties and observers before 15 April 2017.

160th meeting
21 July 2016



Assembly

Distr.: General
17 August 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Decision of the Assembly of the International Seabed Authority relating to the election to fill the vacancies on the Council of the Authority in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea

The Assembly of the International Seabed Authority,

Recalling that, in accordance with article 161, paragraph 3, of the United Nations Convention on the Law of the Sea,

“Elections shall take place at regular sessions of the Assembly. Each member of the Council shall be elected for four years”,

Elects the following to fill the vacancies in the Council of the International Seabed Authority for a four-year period as from 1 January 2017, subject to the understandings reached in the regional and interest groups:¹

Group A

China
Japan

Group B

India

Group C

Canada
South Africa

¹ The agreed allocation of seats on the Council is 10 seats to the African Group, 9 seats to the Asian Group, 8 seats to the Western European and Others Group, 7 seats to the Latin American and Caribbean Group and 3 seats to the Eastern European Group. Since the total number of seats allocated according to that formula is 37, it is understood that, in accordance with the understanding reached in 1996 (ISBA/A/L.8), each regional group other than the Eastern European Group will relinquish a seat in rotation. The regional group which relinquishes a seat will have the right to designate a member of that group to participate in the deliberations of the Council without the right to vote during the period the regional group relinquishes the seat.



Group D

Bangladesh
Brazil
Uganda

Group E

Algeria
Argentina
Côte d'Ivoire
Czech Republic
Netherlands²
Panama
Poland
Spain³
Trinidad and Tobago
United Kingdom of Great Britain and Northern Ireland⁴

160th meeting
21 July 2016

² The Netherlands is elected for a four-year term as a member of group E, on the understanding that it will relinquish its seat after three years to Norway for the remainder of the four-year term (2020).

³ Spain is elected for a four-year term as a member of group E, on the understanding that it will relinquish its seat after one year to Norway for the year 2018.

⁴ The United Kingdom of Great Britain and Northern Ireland is elected for a four-year term as a member of group E, on the understanding that it will relinquish its seat after two years to Norway for the year 2019.



Assembly

Distr.: General
25 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Decision of the Assembly of the International Seabed Authority relating to the budget of the Authority for the financial period 2017-2018

The Assembly of the International Seabed Authority,

Taking into account the recommendations of the Council,¹

1. *Approves* the budget for the financial period 2017-2018, in the amount of \$17,130,700, as proposed by the Secretary-General;²

2. *Takes note* of the high rate of increase in conference services costs and the cost-saving measures in that regard, and requests the Secretary-General to initiate high-level consultations with the United Nations on the issue and to prepare a report on conference services costs for the Finance Committee in 2017;

3. *Approves* the investment of the International Seabed Authority's Endowment Fund for Marine Scientific Research in the Area with the United Nations Treasury;

4. *Also approves* an increase in the Working Capital Fund by \$100,000 to a total of \$660,000 and for the increase to be spread evenly over the next two bienniums, to be determined using the Authority's current scale of assessments applied to the total value of the Working Capital Fund;

5. *Takes note* of the Authority's progress in implementing the International Public Sector Accounting Standards;

6. *Authorizes* the Secretary-General to establish the scale of assessments for 2017 and 2018 on the basis of the scale used for the regular budget of the United Nations for 2016 and 2017, respectively, taking into account that the ceiling assessment rate will be 22 per cent and the floor rate 0.01 per cent;

7. *Also authorizes* the Secretary-General, for 2017 and 2018, to transfer between appropriation subsections of the administrative budget and between individual programmes up to 20 per cent of the amount in each subsection, section or individual programme;

¹ See [ISBA/22/C/18](#).

² See [ISBA/22/A/7/Rev.1-ISBA/22/C/19/Rev.1](#).



8. *Takes into account* the Committee's comments on the interim report on the periodic review of the Authority pursuant to article 154 of the United Nations Convention on the Law of the Sea³ and comments of the Review Committee established to oversee the review;

9. *Urges* the members of the Authority to pay their assessed contributions to the budget on time and in full;

10. *Notes with concern* the increasing amounts of outstanding contributions, appeals yet again to the members of the Authority to pay contributions to the budget of the Authority outstanding from previous years as soon as possible, and requests the Secretary-General, at his discretion, to continue his efforts to recover those amounts;

11. *Strongly encourages* members to make voluntary contributions to the Endowment Fund and Voluntary Trust Fund of the Authority.

161st meeting
22 July 2016

³ United Nations, *Treaty Series*, vol. 1833, No. 31363.



Assembly

Distr.: General
27 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

**Decision of the Assembly of the International Seabed Authority
relating to the election of members of the Finance Committee, in
accordance with section 9 of the annex to the Agreement relating to
the Implementation of Part XI of the United Nations Convention
on the Law of the Sea of 10 December 1982**

The Assembly of the International Seabed Authority,

Elects the following persons to serve in the Finance Committee of the International Seabed Authority for a term of five years, commencing on 1 January 2017 and ending on 31 December 2021:

Frida María **Armas-Pfirter** (Argentina)
Olivier **Guyonvarch** (France)
Duncan M. **Laki** (Uganda)
Konstantin G. **Muraviov** (Russian Federation)
Hiroshi **Onuma** (Japan)
Andrzej **Przybycin** (Poland)
Koteswara M. **Rao** (India)
Kerry-Ann **Spaulding** (Jamaica)
Ahila **Sornarajah** (United Kingdom of Great Britain and Northern Ireland)
Reinaldo **Storani** (Brazil)
Zhi **Sun** (China)
Ye Minn **Thein** (Myanmar)
James Ndirangu **Waweru** (Kenya)¹
David **Wilkens** (Germany)
Kenneth **Wong** (Canada)

160th meeting
22 July 2016

¹ It is understood that Mr. Waweru will relinquish his seat in the Finance Committee after serving two and a half years (2017-2019) in favour of Mehdi Remaoun (Algeria).





Assembly

Distr.: General
27 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Statement by the President of the Assembly of the International Seabed Authority on the work of the Assembly at its twenty-second session

1. The twenty-second session of the Assembly of the International Seabed Authority was held in Kingston, from 11 to 22 July 2016.

I. Adoption of the agenda

2. At its 155th meeting, on 12 July, the Assembly adopted the agenda of its twenty-second session ([ISBA/22/A/1](#)). A total of 18 agenda items were listed for consideration by the Assembly during the session.

II. Election of the President and Vice-Presidents

3. At the same meeting, the Assembly elected Rear Admiral Mohammad Khurshed Alam (Bangladesh), the nominee of the Asia-Pacific States Group, as President of the Assembly. Following consultations of the regional groups, the Assembly elected the following as Vice-Presidents: Eugénio João Muianga, Mozambique (African States Group), Carlos Alberto Michaelsen Den Hartog, Brazil (Latin American and Caribbean States Group), Kenneth Wong, Canada (Western European and Other States Group) and Branislav Žec, Slovakia (Central and Eastern European States Group).

III. Appointment of the Credentials Committee

4. Also at the 155th meeting, pursuant to rule 24 of the rules of procedure of the Assembly, a Credentials Committee of nine members, namely, Algeria, Argentina, Austria, Cameroon, Germany, Jamaica, Japan, Myanmar and the Russian Federation, was appointed by the Assembly on the proposal of the President.



IV. Consideration of requests for observer status

5. The consideration of applications for observer status was the final item to be considered by the Assembly at its 155th meeting. The following organizations were granted observer status to participate in the work of the Assembly: a Vienna-based non-profit organization, Thyssen-Bornemisza Art Contemporary (ISBA/22/A/INF/1); the African Minerals Development Centre, based in Addis Ababa (ISBA/22/A/INF/2); Durham University's Centre for Borders Research, based in the United Kingdom of Great Britain and Northern Ireland (ISBA/22/A/INF/3); Resolve, based in Washington, D.C.; (ISBA/22/A/INF/4); The Pew Charitable Trusts, based in Philadelphia, United States (ISBA/22/A/INF/5); and the Deep-Ocean Stewardship Initiative (ISBA/22/A/INF/6).

V. Election to fill a vacancy on the Finance Committee

6. At the 155th meeting, on 12 July, the Assembly elected Ahila Sornarajah, First Secretary (Legal Affairs) of the Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations in New York, to fill a vacancy on the Finance Committee until 31 December 2016. She succeeds Nicola Smith, also of the United Kingdom, who resigned in April 2016.

VI. Annual report of the Secretary-General

7. At its 156th meeting, on 19 July, and again at its 157th meeting, on 20 July, the Assembly considered the annual report of the Secretary-General of the Authority (ISBA/22/A/2), submitted in compliance with article 166, paragraph 4, of the United Nations Convention on the Law of the Sea.

8. At the 156th meeting, on 19 July, the Secretary-General introduced his report, which covered the period from July 2015 to June 2016. He highlighted, *inter alia*, the cordial nature of the relationship between the Authority and its host country, Jamaica, and urged coastal States to deposit with the Authority charts and geographical coordinates regarding the outer limits of their continental shelves, as required under article 84, paragraph 2, of the Convention. Among the items covered in the report were the membership of the Authority, relations with the host country, the Protocol on the Privileges and Immunities of the International Seabed Authority, financial and administrative matters, the Voluntary Trust Fund and the Endowment Fund for Marine Scientific Research in the Area. The report also contained an account of the latest activities of the Authority and publications available at the Satya N. Nandan Library, information on the venues and subjects of the various seminars and workshops held during the reporting period and a discussion on the progressive development of the regulatory regime for deep-sea mining. The Secretary-General also highlighted the pressing need for members in arrears of their financial contributions to the budget of the Authority for two or more years to settle those arrears.

9. The Minister for Foreign Affairs and Foreign Trade of Jamaica, Kamina Johnson Smith, welcomed the members of the Authority to her country. She commended the Secretary-General and the staff of the Authority secretariat, as well as the Assembly President and his predecessor, for their work. Ms. Johnson Smith

noted that her Government had taken some steps to improve the working environment at the Authority's headquarters, while acknowledging that there was more to be done. She expressed pleasure that Antigua and Barbuda had recently ratified the Convention and called attention to the importance of ratifying the Protocol, as ratification "increases the strength of our Authority". She stated that Jamaica, as a small island State, was committed to the preservation of the marine environment, and added that her country was fully aware that the health of the deep sea was critical for the health of humankind. She was heartened to note that the Legal and Technical Commission had developed guidelines for contractors, which would no doubt allow for a standard reporting methodology and easier monitoring of their contracts. Ms. Johnson Smith thanked the members who had made contributions to the Endowment Fund and the Voluntary Trust Fund. She acknowledged the Authority's efforts to develop the capacity of the Satya N. Nandan Library and encouraged members to make donations to the collection. In closing, Ms. Johnson Smith reaffirmed the commitment of the Government and people of Jamaica to the International Seabed Authority.

10. The delegation of Japan pledged that the country would continue its constructive engagement in the work of the Authority towards the adoption of a code for the sensible regulation of mineral exploitation, with a good balance of considerations for exploitation and the environment. The delegation took the opportunity to encourage the States parties concerned to fulfil their obligations to duly make their financial contributions. The representative of Australia, speaking on behalf of Canada, Australia and New Zealand, stated that exploitation regulations must be in place soon, so that activities in the Area could proceed on an equal footing, guided by clear parameters. The representative stated that the regulations must be underpinned by commercial principles to promote investment on a level playing field and must incorporate best practices in environmental management. The regulations should draw on existing knowledge and best practices, and they must also be able to respond and adapt as the activities change and as more information comes to light about ongoing activities, the representative stated.

11. The representative of South Africa, on behalf of the African States Group, expressed appreciation for the contributions made by members to the funds of the Authority and for the increase in training opportunities from which developing States could benefit, recalling the commitment of Arvid Pardo to the principle of sharing the oceans' wealth for all. The representative of Monaco stated that the twenty-second session of the Authority had emerged against the background of the first meeting of the Preparatory Committee established by General Assembly resolution 69/292, entitled "Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction". The representative encouraged the Authority to play an active role in that process. He applauded the cooperation agreement made with the International Hydrographic Organization (IHO) and adopted by the Council of the Authority on 13 July.

12. The representative of the United Kingdom affirmed that real progress had been made by the Authority during the past year and welcomed the collaboration with international organizations such as IHO. His delegation looked forward to contributing to the work on the draft exploitation regulations, which was of the highest priority to the Authority. The representative of Singapore commended the

Secretary-General for maintaining the momentum of work towards the development of exploitation regulations. She also reiterated the need for the creation of a “fit-for-purpose” data management strategy for the Authority. The representative supported the staging of workshops and sensitization seminars and welcomed the possibility of the exploration contractors offering up to 200 training opportunities over the next five years.

13. The representative of Cameroon stated that the growing interest by contractors, as evidenced by their increasing numbers, should motivate all members. He stressed the importance of a regulatory framework as a definite step towards the goal of sharing the common heritage of mankind with all nations. The representative of India also welcomed the increase in the number of contractors and the efforts of the Authority in conducting sensitization seminars. The representative of Cuba reiterated the need to maintain focus on the preservation and protection of the marine environment. The delegation of Bangladesh stated that the country would support the setting up of an independent inspectorate to discharge the regulatory mandate of the Authority with the onset of exploitation activities and that it looked forward to discussing this further in the context of the article 154 review. The delegation added that Bangladesh welcomed the decision taken by the Authority to enhance transparency and accountability by contractors in relation to their applications for further extensions of exploration contracts. This would allow the membership to gain further confidence in the contractors’ work, create room for the Legal and Technical Commission to share information with the wider membership while maintaining the confidentiality requirements, and enable the contractors to share their respective challenges going forward.

14. The representative of France welcomed the new two-part format for the presentation of the budget of the Authority, covering administrative and programme costs. The representative stated that the format afforded a clearer strategic vision of the work of the Authority and enhanced transparency with regard to the financial governance of the organization. The delegation of Algeria welcomed the role played by the Authority in bolstering its relationship with other organizations whose work impacted the environment. While it praised the Authority’s online presence through its well-organized website, the delegation stated that a version of the site in Arabic would support linguistic diversity. The delegation of Ghana stated that it appreciated the activities of the Authority and contractors in the area of capacity-building. The delegation stated that such an effort made it possible for several trainees, particularly from developing countries, to benefit from training in areas such as deep seabed mining. The delegation of Ghana also welcomed the workshops on taxonomic methods and the standardization of microfauna in the Clarion-Clipperton Fracture Zone, the objective of which, it stated, was to arrive at a standard format for identification, sampling and storage methods.

15. The representative of Senegal commended the Secretary-General on his comprehensive report and called for greater commitment and more active participation at sessions by members of the Authority. The representative also announced that his country had, on 11 July, become party to the Protocol on the Privileges and Immunities of the Authority. The representative of the Philippines stated that the country welcomed the discussions about the expansion of the Legal and Technical Commission. Developing countries were sensitive to the appropriate policies for dealing with deep seabed mining but required training, technology transfer and capacity-building to deal with them. The representative added that the

Philippines strongly supported the work of the Authority on capacity-building and marine scientific research and that the country's scientists had benefitted from the Endowment Fund for marine scientific research in the Area.

16. The delegation of Viet Nam acknowledged the increased workload of the Authority, in particular the Legal and Technical Commission, as evidenced by the progress in formulating draft regulations for exploitation in the Area and an action plan for its future work on the code. It added that the planned training programmes and workshops would play an important role in capacity-building, especially for developing countries. The representative of the State of Palestine declared that his country was honoured to have its flag present in the Assembly room and to be participating at the session as a State party for the first time, having acceded in 2015 to the Convention and the 1994 Agreement relating to the Implementation of Part XI of the Convention on the Law of the Sea. The representative stated that the State of Palestine had a very special history with the Convention on the Law of the Sea, as some 40 years ago the Palestine Liberation Organization had been invited to participate in the meetings on the Convention. He added that the State of Palestine reiterated its pledge to remain committed to its responsibilities in the work of the International Seabed Authority, with a mind to ensure fairness and justice for all of mankind and that no one was left behind.

17. The representative of Argentina, on behalf of the Latin American and Caribbean States Group, remarked that the concept of benefit-sharing, within the scope of article 82, paragraph 4, of the Convention, was of primary importance for the Authority. He affirmed that the Group would work assiduously to ensure that the draft exploitation code was adopted by consensus. With regard to the review process undertaken pursuant to article 154 of the Convention, the representative pledged that Argentina would participate actively so that such an important critical analysis would be successfully concluded. The representative of the Czech Republic urged members with outstanding contributions to pay their arrears to ensure the effective functioning of the organization. Stressing the need for the proper development of the exploitation code, he stated that the Czech Republic would submit, by 2 November, its comments on the working draft regulations and standard contract terms for exploitation for marine minerals issued by the Legal and Technical Commission during the current session. He acknowledged the importance of the Authority's workshops, noting their value as a platform for collaboration with contractors and the international scientific community.

18. The representative of Fiji stated that the development of the exploitation code should be the Authority's primary focus at present. He stated that the code should be in place before the end of the extended exploration contracts. He added that the 2030 Agenda for Sustainable Development planned by the United Nations should be factored into the work programme for the Authority's current and future sessions. The representative pointed out that the Authority was expected to be actively involved in the implementation of Goal 14 of the 2030 Agenda, which covers conservation and sustainable use of the oceans, seas and marine resources. He invited members to participate in the United Nations-mandated conference Fiji would be co-hosting with the Government of Sweden in Fiji from 5-9 June 2017 to support the implementation of Goal 14. The representative of Mozambique encouraged the secretariat to continue to organize sensitization seminars and training programmes, as they were important tools for the dissemination of information on the work of the Authority. They also constituted, the representative

stated, an important means for the promotion of marine scientific research, capacity-building and technology transfer for developing States.

19. The representative of China noted that international seabed activities were now in a crucial period, with exploration and preparation for exploitation proceeding in parallel. While efforts were being made by all the parties to prepare for exploitation, the global economic situation meant that the prospects for realizing commercial exploitation of deep-sea resources in the near future were not good. The representative added that the exploitation regulations would provide a firm guarantee for realizing the principle of the “common heritage of mankind” and voiced his country’s commitment to continuing to fulfil to the letter its responsibilities as a sponsoring State. The representative of Myanmar stated that his Government looked forward to strengthening cooperation with the Authority, as Myanmar had made its submission to the Commission on the Limits of the Continental Shelf. He added that Myanmar would consider becoming a party to the Protocol on the Privileges and Immunities of the Authority in the near future, commensurate with the country’s continued support for the organization. The representative also stated that Myanmar supported the proposed budget for the Authority and commended the Secretary-General for conducting a wide range of activities while maintaining cost-saving measures. He encouraged members of the Authority and other bodies to continue their contributions to the various funds of the Authority as an investment in knowledge.

20. The representative of Antigua and Barbuda applauded the secretariat for its continued efforts to cooperate with other international agencies to ensure the most efficient and effective utilization of scarce resources. He welcomed, in particular, the conclusion of an agreement between the Authority and the International Maritime Organization, which was approved by the Assembly at the twenty-first session. He added that, as the Authority was on the verge of a transition from regulation of exploration to regulation of exploitation of the resources of the Area, it was incumbent upon the Authority, the Legal and Technical Commission, the member States and the contractors to collaborate and cooperate in order to realize the true benefits of the resources of the Area. The delegation of Morocco affirmed that the Authority had an enormous responsibility to preserve the marine environment and, like other delegations, expressed appreciation for the Authority’s efforts at capacity-building, describing it as an essential tool for enhancing human resources skills in developing countries, especially in the field of scientific research. The representative welcomed the cooperation of the Authority with other organizations concerned with marine activities.

21. Statements were also made by representatives of observer organizations. The representatives of Greenpeace International and the Deep Sea Conservation Coalition welcomed the commitment of members of the Authority to transparency, saying it was critical to ensure that seabed mining not become another stressor on the marine environment. They stated that the ocean, the common heritage of mankind, required a system of management involving all the stakeholders who, together, must achieve Sustainable Development Goal 14 to conserve and sustainably use the oceans, seas and marine resources. The representative of the Commonwealth, speaking for a number of delegations, underlined the importance of transparency, accountability and governance effectiveness, which might mean making difficult changes in the immediate future and would entail the Authority balancing its mandate with the forward-looking principle of the common heritage of

mankind. It encouraged the Authority, and all its States parties, to implement the very best international practices possible. The representative of the Fish Reef Project, which launched a system known as the International Marine Mitigation Bank, asked that, for each ton of life impacted in the deep sea, several tons of new life be created in the shallow seas. The Project representative stated that the Bank would make it possible to offset dying coral ecosystems, improve fish stocks, enhance food security for locals and attenuate sea level rise and the effects of ocean acidification.

22. The representative of Thyssen-Bornemisza Art Contemporary, the first art institute to participate in a seabed session, stated that the institute had established a strong reputation for bridging disciplinary gaps in art and marine science. The institute wanted to use art as an innovative approach to the preservation of marine ecosystems and to address Goal 14 from a novel perspective. The representative of the Deep-Ocean Stewardship Initiative commended the Authority for its capacity-building initiatives in marine environmental research and information-sharing among its members. The Stewardship Initiative sought to integrate science, technology, policy, law and economics into advice on the ecosystem-based management of resources used in the deep ocean and strategies to maintain the integrity of deep ocean ecosystems within and beyond national jurisdictions. The representative of WWF International stressed the importance of transparent data management and called on the Authority to encourage environmental impact assessment as a tool to inform workplans and to identify and prevent negative environmental impacts. The representative of The Pew Charitable Trusts stated that the organization sought to support and supplement the work of the Authority through workshops and public participation to ensure that strong, science-based rules were adopted to balance well-regulated mining with the critically important task of protecting biodiversity in the deep ocean.

23. Responding to comments on his report, the Secretary-General noted the intervention from the delegation of Fiji regarding the future work programme of the Authority and pointed to the need for individuals who received specialized training to be given employment upon completion.

VII. Consideration of the interim report of the review committee established to oversee the implementation of the Convention under article 154

24. At its 157th and 158th meetings, on 20 July, the Assembly considered the interim report of the review committee established pursuant to the decision of the Assembly (ISBA/21/A/9/Rev.1) to oversee the periodic review of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea. It concluded its consideration of the item at its 160th meeting during the afternoon session held on 21 July. Introducing the 103-page report, the Chair of the review committee, Helmut Türk (Austria), stated that the committee concurred with the conclusion of the interim report that, despite the significant efforts made to organize and control activities in the Area, there seemed to be a general recognition that more strategic planning was needed by the Authority in order to be able to adequately cope with future tasks and that a vision for the future should be developed. Mr. Türk told the Assembly that the question of control of

seabed activities by sponsoring States needed to be revisited. The review committee agreed with the recommendation that a study on the adequacy of sponsoring States' legislations to control entities with whom they enter into contracts for exploration, should be commissioned, drawing on the advisory opinion of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea. The committee agreed that appropriate mechanisms for directing and supervising staff of inspectors to inspect activities in the Area should be established. The committee also commented on attendance at the Authority's annual meetings and the performance of the Council, the Legal and Technical Commission, the Finance Committee and the secretariat staff. The final report of the review committee is expected to be submitted to the Assembly at the Authority's twenty-third session in 2017.

25. In contributing to the discussion on the interim report of the article 154 review committee, the delegation of Bangladesh stated that the timeline proposed for obtaining responses appeared to be practical. It believed that certain recommendations, including those that could be implemented without having any major legal or financial implications, could be implemented in the short term. The delegation felt it to be a positive aspect of the review that the Assembly itself was entrusted with following up on the work towards its finalization and eventual endorsement. That, the delegation suggested, should create a good precedent for asserting the mandated role of the Assembly vis-à-vis other organs of the Authority. Noting that the authors of the report focused extensively on the work of the Legal and Technical Commission, among other organs, the delegation of Bangladesh stated that if the current election situation for the Commission was any proof, it did make sense for the Assembly to take a serious look at recalibrating the mandates, size and composition of the Commission, including apportioning some responsibilities to other parallel and mutually reinforcing mechanisms to further streamline its increasing workload.

26. The representative of Fiji stated that the review of the Authority's operations was long overdue, as the work of the Authority had expanded in terms of its responsibilities for governing the Area. The review must be expedited to improve the Authority's functionality. The representative stated that Fiji supported the recommendation of a study on the control and monitoring of seabed activities by sponsoring States and added that monitoring should include physical oversight in the Area to ensure environmental protection. The representative also suggested that there was a need to revisit the structure and timing of the work of the Authority's main organs to encourage greater participation and to identify solutions to enable the Legal and Technical Commission to perform most effectively. The representative of Australia welcomed the interim report, while noting the concerns voiced by the Chair of the committee with regard to the methodology used by the authors of the report. The representative encouraged members to submit their written input for the final report within the prescribed time frame. She noted that activities in the Area would intensify, which meant that more meetings of the Legal and Technical Commission might be needed.

27. The delegation of Thailand supported the recommendations outlined in the interim report, which aimed at transparency, improvement on human capacity and enhancement of working method of all organs and subsidiary organs of the Authority. The delegation added that the work of the Authority should be based on a long-term strategy as translated into a clear work programme, with a structured timeline considering the possibility that some contractors might be ready to proceed

to the exploitation stage in five years. The representative of Singapore pointed out that there were useful recommendations in the interim report that could be implemented in the short term. One such was a recommendation that the secretariat prepare a list of decisions taken by the Council, with a timetable for addressing them. This, the representative stated, would enhance transparency and ensure that issues did not “fall by the wayside”. With regard to the next steps to be taken, she stated that the review committee should work together with the consultants responsible for the report to address any concerns.

28. The representative of China noted that the Authority had made good progress over the past two decades in terms of drafting legislation, institution-building and increasing knowledge about the deep sea. The existing seabed regime had proved effective, therefore its basic framework should not be changed or undermined by the periodic review. The representative advocated caution in setting up new organs, which might create an unnecessary burden for States parties. He stated that some recommendations overstepped the terms of reference of the review and should not be included in the report. The delegation of the United Kingdom hailed the fact that all stakeholders were given an opportunity to share their views and had been invited to submit written comments, which demonstrated a participatory approach and an effort towards transparency. Like other delegations, it welcomed the emphasis on strategic planning apparent in the report. The representative warned that any recommendations emerging from the review should reflect the mandate in the Convention with regard to the roles of the various organs of the Authority.

29. The representative of the Netherlands declared that the periodic review was timely, as the Authority was at a juncture to take decisions to reach full growth. The first priority was a work programme for formulating draft regulations for exploitation which, the representative stated, should ideally be completed by 2021. Taking this into account, the Authority might have to prepare itself for more frequent Council sessions if it were to meet its targets. The Norwegian representative observed that the report produced under article 154 would play an important role in determining the way forward for the Authority in the years to come. He underscored the importance of respecting the designated roles of the various subsidiary bodies of the Authority; as a result, any recommendations about financial implications or requiring legal or technical expertise should not be adopted by the Assembly without prior consideration by the Finance Committee or the Legal and Technical Commission, respectively. The delegation of Algeria expressed concern that less than 15 per cent of the members of the Assembly, and even less for the Council, had participated in the survey disseminated by the consultants, which could not be considered representative. The representative suggested that the questionnaire should be published on the official website of the Authority and that it could have been distributed at the current Assembly meeting and the survey revised for the final report. Calling for more meetings of the Legal and Technical Commission to be open to members of the Assembly and observers, the delegation added that Algeria welcomed recommendation 17 of the report, which would limit closed sessions of the Commission to confidential commercial matters only. It further suggested that this should be a concrete recommendation in the final report regarding the serious issue of attendance at the Authority’s annual sessions.

30. The representative of India reminded the Assembly that the States parties were the primary stakeholders in the Authority review process and needed to be vigilant on behalf of mankind against any attempts to undermine the functioning of the

organs of the Authority as established under the Convention. He considered that the representative of China had made valid points in this regard. The delegation of Tonga stated that the country shared the intention behind recommendation 31 of the review, in which an initial draft strategic development framework was proposed, comprising various corporate plans for future consideration. The delegation stated that it was crucial to set out a strategic vision for the Authority, its programme of work or the corporate plans of its various organs, subsidiary organs and committees. It also emphasized the importance of an outline for a “fit-for-purpose” structure or organization and a budget, as well as the need for key performance indicators and deliverables to be provided both on an annual basis and after the strategy expired and was due for renewal.

31. Members of the observer community also made contributions. The representative of Greenpeace International described the review as “forward looking”, as it included best practices and the application of scientific knowledge, the precautionary approach and the ecosystem approach to protect the marine environment. The representative stated that, as the review under article 154 moved forward, the transparency and accountability of all bodies and the protection of the marine environment should serve as guides. The representative of WWF International welcomed the interim report, saying it had already been described as a wake-up call in many respects, particularly in moving the Authority towards being a “fit-for-purpose” structure. The representative added that, in order to keep up with the growing workload and data capacity needs, the storage, use, analysis and communication of data and information needed to be reviewed and addressed with urgency, in particular as the Authority moves towards being a body that governs and regulates potential exploitation of minerals in the Area.

32. The representative of the Deep Sea Conservation Coalition stated that the review under article 154 was a critically important exercise undertaken by the Authority. The representative stated that the coalition could agree with a number of the review committee’s recommendations, including the need to make the work of the Legal and Technical Commission more transparent and to limit closed sessions to those dealing with confidential commercial matters only. According to the representative, one of the biggest gaps the coalition saw, in terms of structure, related to the capacity of the Authority to meet the environmental challenges of the work ahead. The representative of the International Union for Conservation of Nature highlighted several points stemming from the comments of the review committee and the interim report. There was need, the representative stated, for a strategic vision, including an environmental strategy, with clear environmental objectives that could be evaluated and enforced. The Authority would need to have the expertise necessary to ensure effective environmental management, which could possibly include the establishment of an environmental committee. The representative also called for continued improvements in transparency and stakeholder participation and stressed the fundamental importance of securing the financial resources to develop and implement a strategic plan for fulfilling the Authority’s role as a trustee on behalf of humankind. The representative of the Commonwealth stated that the interim report was a good starting point that formed a solid basis for moving forward on the Authority’s first-ever review. The representative stated that the report provided the valuable opportunity to assemble various perspectives into one document, accessible to the Assembly. Aligning itself with views from Australia, Bangladesh, Fiji, India, Singapore, Tonga and the United

Kingdom, the representative of the Commonwealth stated that the review process in the coming year would first need to ensure that all States parties and stakeholders had ample opportunity to submit comments on the interim report.

33. The final segment of the Assembly's consideration of the interim report of the article 154 review was held at its 160th meeting, during the afternoon session held on 21 July. Upon the resumption of the general debate, the Chair of the review committee introduced a draft decision ([ISBA/22/A/L.3](#)), setting out the modalities of the work to be carried out in 2017 by the review committee. The representative of Cameroon voiced his country's concerns about the gaps in the methodology used by the authors of the report, as highlighted by the low number of survey responses and the lack of detailed analysis of the data. The representative nevertheless stated that he could support the draft decision on the report. The representative of Jamaica reiterated her country's support for the review and stated that the Government planned to submit a considered response as soon as possible. The decision of the Assembly in relation to the article 154 review is contained in document [ISBA/22/A/11](#).

VIII. Address by the Prime Minister of Trinidad and Tobago

34. At its 159th meeting, on 21 July, the Assembly heard an address from the Prime Minister of Trinidad and Tobago, Keith Rowley. Addressing the Assembly, Mr. Rowley stated that the mandate of the International Seabed Authority must be expanded to make it responsible for helping States implement their obligations under the future legal instrument on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction. Mr. Rowley, who was on an official visit to Jamaica, stated that his country, like other developing countries, believed that all marine resources in the deep seabed Area beyond national jurisdiction were the common heritage of mankind; that should be a cardinal principle founded in the future convention, he added. Mr. Rowley expressed the commitment of his Government to work with the Authority and all of its member States to achieve their common objective. It was doing so because of Trinidad and Tobago's "distinguished and historical contribution" to the many facets of the Convention on the Law of the Sea, which predated its negotiation, adoption and entry into force. In his address, Mr. Rowley added that the Authority should, as a matter of priority, work on the resolution of important practical issues germane to the uniform implementation of article 82 of the Convention. He noted that a number of States had received favourable recommendations from the Commission on the Limits of the Continental Shelf to establish the outer limits of their own continental shelf. States could ill afford to "sit and wait" until there was exploitation of the mineral resources in those areas.

IX. Report of the Credentials Committee

35. The Credentials Committee held one meeting, on 19 July, and elected Helmut Türk (Austria) as its Chair for the twenty-second session. At the 159th meeting of the Assembly, held on 21 July, the Committee Chair reported that, as at 19 July, the credentials of the representatives of 83 States and the European Union had been received by the Secretariat. The Assembly approved the report of the Credentials

Committee, contained in document [ISBA/22/A/8](#). The decision of the Assembly relating to the credentials of representatives to the twenty-second session is contained in document [ISBA/22/A/9](#).

X. Election of the Secretary-General

36. Article 166, paragraph 2 of the Convention on the Law of the Sea states that the Secretary-General of the Authority shall be elected for four years by the Assembly from among the candidates proposed by the Council and may be re-elected. At its 159th meeting, held on 21 July, the Assembly noted document [ISBA/22/C/27](#), which outlines the decision of the Council of the Authority, taken at its 219th meeting, held on 18 July, and in accordance with article 162, paragraph 2 (b), of the Convention, to propose to the Assembly the following two candidates for the election of the Secretary-General: Michael W. Lodge (United Kingdom) and Nii Allotey Odunton (Ghana).

37. At the commencement of the meeting, the President of the Assembly referred to paragraph 1 of rule 61 of the rules of procedure of the Authority, which states that, as a general rule, decision-making in the Authority should be by consensus. He added that the Authority had, for the most part of its 20-year existence, sought, observed and utilized consensus as a convenient tool in arriving at a decision. To facilitate the achievement of the consensus he had proposed that an informal indicative vote would be carried out with the agreement of the two candidates. The President suspended the meeting to allow the informal indicative vote to take place. The results of the vote were communicated only to the President, who in turn informed each of the candidates of the result.

38. At the formal resumption of its 159th meeting, the President proposed that, by acclamation, the Assembly elect Michael W. Lodge (United Kingdom) as Secretary-General for a four-year term of office commencing on 1 January 2017. The Assembly decision on the election of the Secretary-General of the Authority is contained in document [ISBA/22/A/10](#). Statements were made by the delegations of Brazil, Cameroon, China, the Czech Republic, Fiji, France, Ghana, India, Jamaica, Japan, Kenya, Mexico, Morocco, Nigeria, South Africa and the United Kingdom.

XI. Election of members of the Finance Committee

39. At its 160th meeting, on 21 July, the Assembly considered agenda item 15, election of members of the Finance Committee. The President reminded the Assembly of section 9, paragraph 1 of the annex to the Implementation Agreement, whereby the Finance Committee “shall be composed of 15 members with appropriate qualifications relevant to financial matters”. The President also cited section 9, paragraph 3 of the annex to the Agreement:

The members of the Finance Committee shall be elected by the Assembly and due account shall be taken of the need for equitable geographical distribution and the representation of special interests. Each group of States referred to in section 3, paragraph 15 (a), (b), (c) and (d), of this annex shall be represented on the Committee by at least one member. Until the Authority has sufficient funds other than assessed contributions to meet its administrative expenses,

the membership of the Committee shall include representatives of the five largest financial contributors to the administrative budget of the Authority. Thereafter, the election of one member from each group shall be on the basis of nomination by the members of the respective group, without prejudice to the possibility of further members being elected from each group.

The Assembly also recalled section 9, paragraph 4 of the same annex, whereby the members of the Finance Committee would hold office for a term of five years and be eligible for re-election for a further term.

40. The President also reminded the Assembly of its 2006 decision taken at the twelfth session of the Authority, as reflected in paragraph 32 of document [ISBA/12/A/13](#), whereby for future elections, States parties would indicate their candidates at least two months before the beginning of the session and noted that by 11 May 2016, two months before the commencement of the twenty-second session of the Authority, nominations for candidates to the Finance Committee had been received from 13 States parties. The Assembly also noted that four nominations — from Algeria, Italy, Kenya and Myanmar — had been received after the deadline.

41. Having consulted with the regional groups, the candidates and the outgoing Chair of the Finance Committee, the President proposed that, owing to the nature of the work to be carried out and the history of attendance by members at meetings of the Committee, the Assembly elect all 13 candidates whose nominations were submitted within the prescribed time and that, on a one-time-only basis, without prejudice to future elections and without creating a precedent, the Assembly also approve the election of the nominees of Kenya and Myanmar. The decision of the Assembly on the election of members of the Finance Committee to serve for the period 1 January 2017 to 31 December 2021 is contained in document [ISBA/22/A/14](#).

XII. Election to fill vacancies on the Council

42. At its 160th meeting, on 21 July, the Assembly elected the following States to fill vacancies on the Council of the Authority for a four-year period beginning 1 January 2015, subject to the understandings reached in the regional and interest groups. The decision of the Assembly on the election to fill vacancies on the Council is contained in document [ISBA/22/A/12](#).

Group A

China
Japan

Group B

India

Group C

Canada
South Africa

Group D

Bangladesh
Brazil
Uganda

Group E

Algeria
Argentina
Côte d'Ivoire
Czech Republic
Netherlands
Norway
Panama
Poland
Spain
Trinidad and Tobago
United Kingdom of Great Britain and Northern Island

XIII. Adoption of the budget and scale of assessment

43. At its 161st meeting, on 22 July, the Assembly recalled the verbal presentation of the Chair of the Finance Committee¹ and considered the report of the Committee (ISBA/22/A/7/Rev.1-ISBA/22/C/19/Rev.1), the proposed budget for the Authority for the financial period 2017-2018 (ISBA/22/A/6-ISBA/22/C/9) and the scale of assessment for 2017 and 2018. On the basis of the recommendations of the Council (ISBA/22/C/L.2), the Assembly adopted the decisions contained in document ISBA/22/A/13.

XIV. Dates of the next session of the Assembly

44. The meeting of the Legal and Technical Commission will be held from 20 February to 3 March 2017. The dates for the twenty-third session of the Assembly will be announced in due course. It will be the turn of the African States Group to nominate a candidate for the presidency of the Assembly in 2017.

¹ Owing to flight scheduling, the Chair of the Finance Committee, Olav Myklebust (Norway), presented the report of the Finance Committee to the Assembly at its 158th meeting. Action on the item took place at the 161st meeting.

COUNCIL

ISBA/22/C/3*	Issues associated with the conduct of marine scientific research in exploration areas
ISBA/22/C/5	Status of contracts for exploration in the Area
ISBA/22/C/7	Periodic review of the implementation of the plans of work for exploration in the Area
ISBA/22/C/8	Laws, regulations and administrative measures adopted by sponsoring States and other members of the International Seabed Authority with respect to the activities in the Area
ISBA/22/C/10	Report and recommendations of the Legal and Technical Commission to the Council of the International Seabed Authority relating to an application for the approval of a plan of work for exploration for cobalt-rich ferromanganese crusts by the Government of the Republic of Korea
ISBA/22/C/11	Application for extension of the contract for exploration for polymetallic nodules between Interoceanmetal Joint Organization and the International Seabed Authority
ISBA/22/C/12	Application for extension of the contract for exploration for polymetallic nodules between Yuzhmorgeologiya and the International Seabed Authority
ISBA/22/C/13	Application for extension of the contract for exploration for polymetallic nodules between the Government of the Republic of Korea and the International Seabed Authority
ISBA/22/C/14	Application for extension of the contract for exploration for polymetallic nodules between the China Ocean Mineral Resources Research and Development Association and the International Seabed Authority
ISBA/22/C/15	Application for extension of the contract for exploration for polymetallic nodules between Deep Ocean Resources Development Co. Ltd. and the International Seabed Authority
ISBA/22/C/16	Application for extension of the contract for exploration for polymetallic

	nodules between the Institut français de recherche pour l'exploitation de la mer and the International Seabed Authority
ISBA/22/C/17	Report of the Chair of the Legal and Technical Commission on the work of the Commission at its session in 2016
ISBA/22/C/20	Decision of the Council of the International Seabed Authority relating to an application for approval of a plan of work for exploration for cobalt-rich ferromanganese crusts by the Government of the Republic of Korea
ISBA/22/C/21	Decision of the Council of the International Seabed Authority relating to an application by Interoceanmetal Joint Organization for extension of a contract for exploration for polymetallic nodules between Interoceanmetal Joint Organization and the Authority
ISBA/22/C/22	Decision of the Council of the International Seabed Authority relating to an application by Yuzhmorgeologiya for extension of a contract for exploration for polymetallic nodules between Yuzhmorgeologiya and the Authority
ISBA/22/C/23	Decision of the Council of the International Seabed Authority relating to an application by the Government of the Republic of Korea for extension of a contract for exploration for polymetallic nodules between the Government of the Republic of Korea and the Authority
ISBA/22/C/24	Decision of the Council of the International Seabed Authority relating to an application by the China Ocean Mineral Resources Research and Development Association for extension of a contract for exploration for polymetallic nodules between the China Ocean Mineral Resources Research and Development Association and the Authority
ISBA/22/C/25	Decision of the Council of the International Seabed Authority relating to an application by Deep Ocean Resources Development Co. Ltd. for extension of a contract for exploration for polymetallic nodules between Deep Ocean Resources Development Co. Ltd. And the Authority
ISBA/22/C/26	Decision of the Council of the International Seabed Authority relating to an application by the Institut français de recherche pour l'exploitation de la mer for extension of a contract for exploration for polymetallic nodules between the Institut français de recherche pour l'exploitation de la mer and the Authority
ISBA/22/C/27	Decision of the Council of the International Seabed Authority

	concerning the candidates for the election of the Secretary-General
ISBA/22/C/28	Decision of the Council of the International Seabed Authority relating to the summary report of the Chair of the Legal and Technical Commission
ISBA/22/C/29	Decision of the Council of the International Seabed Authority relating to the election of members of the Legal and Technical Commission
ISBA/22/C/30	Summary report of the President of the Council of the International Seabed Authority on the work of the Council during its twenty-second session

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Issues associated with the conduct of marine scientific research in exploration areas**Report of the Secretary-General****Introduction**

1. One of the consequences of the increase in the activities in the Area, which is manifested in the increase in the number of approved plans of work for exploration from 7 in 2011 to 27 in 2016, is an increase in the potential for conflict between contractors and researchers over the marine scientific research being conducted on the seabed in exploration areas. Many activities that are frequently carried out as part of an exploration campaign, and can therefore be considered “activities in the Area” within the definition of that term in article 1 (3) of the United Nations Convention on the Law of the Sea, may also be carried out as marine scientific research. These activities include, for example, side-scan sonar mapping using autonomous underwater vehicles, box core and multicore sampling, conductivity, temperature and depth probe measurement and deployment of remote-operated vehicles for purposes of high-density photo profiling.

2. Under article 256 of the Convention, all States and competent international organizations may conduct marine scientific research in the Area in conformity with the provisions of part XI. The relevant provision in part XI is article 143, which provides that marine scientific research in the Area shall be carried out exclusively for peaceful purposes and for the benefit of mankind as a whole, thus distinguishing it from marine scientific research conducted pursuant to article 87 (1) (f) in part VII. At the same time, the exploration regulations further provide that the regulations shall not in any way affect the freedom of scientific research, pursuant to article 87 of the Convention, or the right to conduct marine scientific research in the Area pursuant to articles 143 and 256. The Convention and the exploration regulations also require the Authority to accord to contractors the exclusive right to explore the area covered by a plan of work for exploration and to ensure that no other entity operates in the same area for resources other than those covered under the contract in a manner that might interfere with the operations of the contractor.

* Reissued for technical reasons on 31 May 2016.



3. Open and extensive marine scientific research, both in the high seas and in the Area, is necessary and desirable for many reasons. Data from marine scientific research helps to provide the knowledge base for the formulation of regulations for exploitation. Sound environmental management of the Area is likely to require large databases and thorough data analysis, which are difficult for individual contractors to acquire. A complete environmental impact assessment is very likely not possible based solely on an individual contractor's exploration area, but requires a bigger picture across environmental gradients. On the other hand, contractors are required to observe strict environmental standards and to monitor the impacts of their activities in their exploration areas. Both activities should normally complement each other, but in particular circumstances it may be that activities conducted by third parties as marine scientific research could interfere with a contractor's ongoing efforts to monitor the environmental impacts of its exploration activities. The question of how to reconcile the possibly competing interests of contractors and researchers raises a number of complex and sensitive legal questions and concerns. Furthermore, the need to guarantee both the security of tenure for contractors, on one side, and the exercise of the rights and freedoms of marine scientific research, on the other, is essential for good governance and administration of the mineral resources of the Area. The purpose of the present document is to briefly summarize those questions and to identify possible ways of responding to them consistent with the relevant provisions of the Convention.

Applicable rules of the international law of the sea regarding marine scientific research

4. Article 87 (1) (f) of the Convention provides that the freedom of the high seas includes the freedom of marine scientific research, subject to part XIII. Article 87 (2) requires that the freedoms of the high seas be exercised by all States with due regard for the rights under the Convention with respect to activities in the Area. Part XIII of the Convention deals extensively with marine scientific research. Two of the general principles for the conduct of marine scientific research, set out in article 240 (c) and (d) of part XIII, are that marine scientific research shall not unjustifiably interfere with other legitimate uses of the sea compatible with the Convention and shall be duly respected in the course of such uses, and that marine scientific research shall be conducted in compliance with all relevant regulations adopted in conformity with the Convention, including those for the protection and preservation of the marine environment. The United Nations Educational, Scientific and Cultural Organization (UNESCO) is the recognized organization for global cooperation in the study of the oceans. In this capacity, the Intergovernmental Oceanographic Commission of UNESCO has been promoting international collaboration in all aspects of marine scientific research since its inception in 1960. It established the Advisory Body of Experts on the Law of the Sea to deal with many of the issues arising under the Convention, in particular the establishment of criteria and guidelines to assist States in ascertaining the nature and implications of marine scientific research, pursuant to article 251 of the Convention.

5. Article 256 provides that all States have the right to conduct marine scientific research in the Area in conformity with the provisions of part XI. In that regard, article 143 (3) provides that States parties may carry out marine scientific research in the Area and shall promote international cooperation in such research through a number of stipulated methods, including by effectively disseminating the results of

such research and analysis when available, through the Authority or other international channels when appropriate. In contrast, article 257 provides that all States have the right to conduct marine scientific research in the water column beyond the limits of the exclusive economic zone, i.e., in the water column superjacent to the Area and any extended continental shelf beyond 200 nautical miles from the baselines, in conformity with the Convention.

Applicable rules of the international law of the sea in part XI of the Convention

6. Article 139 (1) of the Convention provides that all States parties have the responsibility to ensure that activities in the Area, whether carried out by States parties or by natural or juridical persons which possess the nationality of States parties or are effectively controlled by them, are carried out in conformity with part XI of the Convention. Paragraph 2 of the same article sets out the conditions for liability of a State Party for damage caused by a failure to carry out its responsibilities under part XI.

7. Article 145 requires that necessary measures be taken in accordance with the Convention with respect to activities in the Area to ensure effective protection for the marine environment from harmful effects which may arise from such activities. Article 145 tasks the Authority with adopting appropriate rules, regulations and procedures to that end. It also provides a non-exclusive list of situations to be protected.

8. Article 147 (1) requires that activities in the Area be carried out with “reasonable regard” for other activities in the marine environment. Paragraph 3 of the same article contains a reciprocal provision requiring that other activities in the marine environment be conducted with “reasonable regard” for activities in the Area. Paragraph 3 follows article 87 (2), requiring that high seas freedoms be exercised with “due regard” for the rights under the Convention with respect to activities in the Area.

9. The term “reasonable regard” is not defined in the Convention. Given the provision of article 87 (2) noted above, it may be concluded that “reasonable regard” has the same meaning as “due regard”, a term also used in many other articles of the Convention (such as 27 (4), 39 (3) (a) and 234, with regard to navigation; 60 (3) and 66 (3) (a), with regard to fishing; 79 (5), with regard to submarine cables and pipelines; 56 (2), 58 (3) and 142 (1), with regard to the rights and duties of States; 267, with regard to the legitimate interests of other States in technology transfer; and 162 (2) (d) and 167 (2), with regard to geographical representation). The Virginia Commentary suggests that “reasonable regard” in the context of article 147 “would encompass recognition of the right of all States to conduct activities in the marine environment and the obligation on all States to protect and preserve the marine environment as set out in article 192”. Another commentator suggests that the term calls “for certain forms of conduct without establishing any specific normative content”.

10. It is reasonable to conclude that marine scientific research activities in the Area must not unreasonably interfere with a contractor’s rights and duties under its contract with the Authority and that the contractor and researcher, and the sponsoring State(s) of the contractor and the State responsible for the researcher’s activities, have to give due regard to the rights of each other to conduct their activity without undue interference with the activities of the other. It is, however,

unclear what level or kind of interference would exceed the “reasonable regard” standard, and the current provisions fall short of providing the scientific community and the deep-sea mining community with practical guidance as to what actions or consequences may constitute undue interference or what specific steps must be taken to fulfil the requirement of due regard (for example, a requirement of notification or prior exchange of information). In contrast to article 142 of the Convention regarding transboundary resource deposits, there is no specific provision in the Convention or the exploration regulations that deals with the situation in which the conduct of marine scientific research in the Area affects the rights of a contractor, not even requiring notice to the contractor or the Authority of the intention to conduct such research. It is possible that the lack of a specific provision supports an interpretation that a requirement of information exchange is implicit.

Issues associated with environmental impact assessments and other environmental obligations imposed on contractors

11. As stated above, article 240 (d) of the Convention requires that the conduct of marine scientific research be in compliance with all relevant regulations adopted in conformity with the Convention, including those for the protection of the marine environment. Furthermore, articles 205 and 206 of the Convention require States parties to conduct environmental assessments of planned activities under their jurisdiction and control that may cause substantial pollution of or significant and harmful changes to the marine environment, and to publicize the results of their assessment. In its 2010 judgment in the case concerning *Pulp Mills on the River Uruguay (Argentina v. Uruguay)*, the International Court of Justice held that this requirement is now part of customary international law. In its 2011 advisory opinion on *Responsibilities and Obligations of States Sponsoring Persons and Entities with Respect to Activities in the Area*, the Seabed Disputes Chamber extended the requirement to conduct environmental impact assessments to cover activities in the Area beyond the specifics of the Convention and the Authority’s regulations.

12. Contractors have numerous environmental obligations, including the establishment of environmental baselines and the conduct of monitoring programmes. The recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area, which contractors are required to observe as far as reasonably practicable, elaborate on and clarify the obligation of contractors to undertake environmental impact assessments. Where an environmental impact assessment is required, it must be submitted to the Authority one year prior to the commencement of activities, subject to an environmental impact assessment.

13. The problem arises that in certain cases, some marine scientific research activities may be activities that, if carried out by a contractor with a view to the exploration or exploitation of resources in the Area, would have required a prior environmental impact assessment under the recommendations issued by the Legal and Technical Commission. There is no clear requirement for researchers to carry out a prior environmental impact assessment if the same activities are carried out as marine scientific research. National obligations, including those in guidance documents, soft law or regional instruments, while relevant, may not afford a solid basis for such an obligation. The absence of a clear requirement for researchers to conduct an environmental impact assessment for relevant activities, particularly if

the plan is to work in a portion of the Area over which an exploration contract has been granted by the Authority, appears to cast doubt upon the purpose of requiring an environmental impact assessment pursuant to article 145. More practical guidance may be needed in this respect, potentially through the Advisory Body of Experts on the Law of the Sea if mandated by the governing bodies of the Intergovernmental Oceanographic Commission.

Issues associated with responsibility and liability

14. Another set of questions relate to responsibility and liability. Article 263, in part XIII, stipulates that States parties are responsible for ensuring that marine scientific research is conducted in accordance with the Convention (not part XIII only). Paragraphs 2 and 3 of article 263 provide for liability and require compensation for damage resulting from activities undertaken in contravention of the Convention and for damage caused by pollution of the marine environment arising out of marine scientific research activities.

15. Article 139, in part XI of the Convention, stipulates that States parties have the responsibility to ensure that activities in the Area, whether carried out by States parties, State enterprises or natural or juridical persons which possess the nationality of States parties or are effectively controlled by them or their nationals, are carried out in conformity with part XI. The same responsibility applies to international organizations for activities in the Area conducted by those organizations. Paragraph 2 of article 139 provides for joint and several liability for damage caused by failure to carry out its responsibility under part XI.

16. If the conduct of marine scientific research in an exploration area prevents a contractor from fully implementing its approved plan of work, will that constitute a case of non-compliance by the contractor and entail its liability? Will it qualify as an event of force majeure with the legal consequences that it entails regarding the performance of activities and the extension of the term of a contract? Since States parties have the responsibility to ensure that activities in the Area are carried out in conformity with part XI of the Convention, could such unreasonable interference entail liability for damage caused by a failure to carry out their responsibilities under part XI? Given that States parties are responsible to ensure that the conduct of marine scientific research does not contravene the Convention by unduly interfering with a contractor's exclusive rights, it seems inevitable to conclude that a case of interference could entail liability for damage caused to a contractor. It may be more difficult, however, to determine the proper forum for settlement of any dispute arising out of such a situation.

Resolution of disputes

17. In the event of a conflict between a contractor's activities and planned or existing marine scientific research, there are many modalities for seeking a resolution. As a starting point, the Authority could mediate between the States parties, contractors and researchers involved in order to accommodate their activities. Ultimately, part XV of the Convention provides a comprehensive regime for the settlement of disputes. Articles 279 and 280 require States parties to settle any dispute between them concerning the application or interpretation of the Convention by the peaceful means of their own choice. Article 288 (3) refers to the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea,

established pursuant to section 5 of part XI. Article 187 enumerates categories of disputes with respect to activities in the Area that fall under the jurisdiction of the Chamber. In particular, the Chamber has jurisdiction over disputes between States parties concerning the interpretation or application of part XI and the annexes relating thereto as well as over disputes between a State party and the Authority concerning acts or omissions of the Authority or of a State party alleged to be in violation of part XI or the annexes relating thereto or of rules, regulations and procedures of the Authority.

18. Article 264 requires that disputes concerning the interpretation or application of the provisions of the Convention with regard to marine scientific research be settled in accordance with part XV, sections 2 and 3. As already mentioned, section 2 of part XV provides, in article 288 (3), for the jurisdiction of the Seabed Disputes Chamber. Article 290 provides for provisional measures in cases in which the court or tribunal considers that, *prima facie*, it has jurisdiction under part XV or section 5 of part XI, when appropriate under the circumstances of the case to preserve the respective rights of the parties to the dispute or to prevent serious harm to the marine environment, pending a final decision.

19. The settlement of disputes by courts or tribunals would inevitably be fact-specific and may not address the whole range of legal issues as outlined above. It may also result in forum-shopping, and the risk of inconsistent interpretations of the same provisions may not be ruled out. In any event, disputes should, wherever possible, be avoided. Consequently, contentious litigation might not be the most appropriate way to clarify the core issue related to the interpretation and application of the due regard obligation and provide legal certainty as to appropriate conduct to avoid undue interference between researchers and contractors.

20. One way to avoid future disputes may be to further develop the exploration regulations in order to lay down specific rules for contractors and researchers. These could be supplemented by guidelines of a practical nature. In that regard, it may be noted that under the current regulations, during the prospecting phase prospectors are required to minimize or eliminate “actual or potential conflicts or interference with existing or planned marine scientific research activities, in accordance with the relevant future guidelines in this regard”. Unfortunately, no guidelines have yet been established pursuant to that provision, and the regulations do not address the situation during exploration and exploitation phases, which is when the issue of the contractors’ exclusive rights arises. However, perhaps the main difficulty with the regulatory approach, and one that makes it unrealistic, is the need to ensure full consistency with the rights and obligations of States and the Authority in accordance with the Convention, in particular article 143.

21. In any event, additional regulatory controls may not be an appropriate response to what is essentially a need for the clarification of existing provisions, in particular the reciprocal obligation of “reasonable regard”. Such clarification could more appropriately be obtained by means of a request for an advisory opinion of the Seabed Disputes Chamber. Article 191 of the Convention requires the Chamber to give advisory opinions at the request of the Assembly or the Council on legal questions arising within the scope of their activities. Such opinions must be rendered as a matter of urgency. In addition to avoiding the need to address the issues in the context of a specific dispute, that approach also has the benefit of greater transparency. In addition, it would allow the Chamber to benefit from

submissions on the subject matter from all States parties, including researching States and sponsoring States, as well as relevant international organizations, including the Authority and the Intergovernmental Oceanographic Commission.

22. Advice rendered by the Chamber on this important topic could contribute to the development of future regulations for exploitation by the Authority, as well as to the development of guidance for researchers by the Intergovernmental Oceanographic Commission through the Advisory Body of Experts on the Law of the Sea. Such advice could also contribute to the discussions in the preparatory committee established by the General Assembly in its resolution 69/292 to make substantive recommendations to the Assembly on the elements of a draft text of an international legally binding instrument under the Convention on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction.

Summary of questions arising

23. On the basis of the above discussion, it is suggested that the main legal issues requiring clarification are as follows:

(a) Does the phrase “other activities in the marine environment” in article 147 (3) of the Convention include marine scientific research in the Area?

(b) What is the meaning of the term “reasonable regard” in article 147 (3) of the Convention with respect to activities in the Area, and is this meaning the same as that of the term “due regard” in article 87 (2)?

(c) What conduct would unreasonably interfere with a contractor’s rights and obligations in its exploration (or future exploitation) area?

(d) Is a prior environmental impact assessment required for the conduct of certain marine scientific research activities in the Area on the same basis as contractors are obliged to conduct in relation to some specific exploration activities, especially in the light of articles 204 and 206?

(e) What procedure should be adopted in the situation in which an entity conducting marine scientific research does not have a separate legal personality enabling a clear assignment of liability or responsibility, as in the common case of international scientific consortiums of institutions receiving funding from various States?

24. The Council is invited to consider the issues raised in the present report and to take such action or make such recommendations as may be appropriate.



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Status of contracts for exploration in the Area

Report of the Secretary-General

1. The present report provides information on the status of contracts for exploration in the Area since the twenty-first session of the Council, in July 2015. 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. In addition, the report contains information on the status of implementation of the decision of the Assembly of 25 July 2013 relating to the establishment of overhead charges for the administration and supervision of exploration contracts. The information provided herein is up to date as at 27 April 2016.

I. Status of contracts for exploration

2. As at 27 April 2016, 24 contracts for exploration had entered into force (15 for polymetallic nodules, 5 for polymetallic sulphides and 4 for cobalt-rich ferromanganese crusts). A complete list of the contracts, with details of the contractor, the sponsoring State 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. Since July 2015, two new contracts have been signed. On 9 November 2015, a contract for exploration for cobalt-rich ferromanganese crusts with Companhia de Pesquisa de Recursos Minerais S.A. was signed in Brasilia. On 29 March 2016, a contract for exploration for polymetallic nodules with UK Seabed Resources Ltd. was signed in New York.

4. With regard to the remaining two plans of work for exploration approved by the Council at its twentieth session, it is anticipated that the contract for exploration for polymetallic nodules with the Cook Islands Investment Corporation will be signed in June 2016, before the twenty-second session of the Authority. Preparations for the signature of the contract for exploration for polymetallic sulphides with the



Government of India are near completion and it is anticipated that the contract will also be signed in 2016.

5. With regard to the plan of work for exploration submitted by China Minmetals Corporation and approved by the Council at its twenty-first session, it is expected that the contract will be signed in 2016.

6. Six contracts for exploration for polymetallic nodules will expire in 2016. They are with Interoceanmetal Joint Organization, Yuzhmorgeologiya, the Government of the Republic of Korea, China Ocean Mineral Resources Research and Development Association, Deep Ocean Resources Development Co. Ltd. and the Institut français de recherche pour l'exploitation de la mer. As at 16 December 2015, each of those contractors had applied for a five-year extension of its contract. The applications were considered by the Legal and Technical Commission in February 2016 and it is anticipated that the Commission will submit its report and recommendations on each application for consideration by the Council at its twenty-second session, in July 2016.

II. Status of implementation of decision ISBA/19/A/12

7. By its decision of 25 July 2013 (ISBA/19/A/12), the Assembly established an annual overhead charge of \$47,000 to cover the costs incurred by the Authority in administering and supervising contracts. The charge is due to be paid by each contractor by 31 March each year. The decision is to be implemented through the addition of two new clauses (sects. 10.5 and 10.6) to the standard clauses for contracts for exploration. The decision of the Assembly also specifies the date of its entry into force (25 July 2013) and contains special provisions regarding its effect in respect of existing contracts and pending and approved applications submitted before 25 July 2013.

8. The decision of the Assembly has immediate effect from the date of its adoption (25 July 2013), meaning that standard clauses 10.5 and 10.6 will apply automatically to any contract entered into as a result of an application for approval of a plan of work for exploration submitted after that date.

9. With regard to contracts for exploration that had already entered into force as at 25 July 2013, the Assembly requested the Secretary-General to consult each contractor with a view to revising the contracts, in accordance with section 24.2 of the standard clauses, in order to incorporate clauses 10.5 and 10.6. Those consultations are in progress and their status is reflected in annex II to the present report. Furthermore, in the case of contracts that are due to expire, standard clauses 10.5 and 10.6 will be applicable to the period of any extension of the contract.

III. Recommendation

10. The Council is invited to take note of the present report.

Annex I

Status of approved contracts for exploration

A. Contracts for exploration for polymetallic nodules

	<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State</i>	<i>General location of the exploration area</i>	<i>Date of expiry</i>
1	Interoceanmetal Joint Organization	29 March 2001	Bulgaria, Cuba, Czech Republic, Poland, Russian Federation and Slovakia	Clarion-Clipperton Fracture Zone	28 March 2016
2	Yuzhmorgeologiya	29 March 2001	Russian Federation	Clarion-Clipperton Fracture Zone	28 March 2016
3	Government of the Republic of Korea	27 April 2001	–	Clarion-Clipperton Fracture Zone	26 April 2016
4	China Ocean Mineral Resources Research and Development Association	22 May 2001	China	Clarion-Clipperton Fracture Zone	21 May 2016
5	Deep Ocean Resources Development Co. Ltd.	20 June 2001	Japan	Clarion-Clipperton Fracture Zone	19 June 2016
6	Institut français de recherche pour l'exploitation de la mer	20 June 2001	France	Clarion-Clipperton Fracture Zone	19 June 2016
7	Government of India	25 March 2002	–	Central Indian Ocean Basin	24 March 2017
8	Federal Institute for Geosciences and Natural Resources of Germany	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

<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State</i>	<i>General location of the exploration area</i>	<i>Date of expiry</i>
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 15 January 2015 and in Singapore on 22 January 2015	Singapore	Clarion-Clipperton Fracture Zone (reserved area)	21 January 2030
15 UK Seabed Resources Ltd.	29 March 2016	United Kingdom of Great Britain and Northern Ireland	Clarion-Clipperton Fracture Zone	28 March 2031
16 Cook Islands Investment Corporation	To be signed	Cook Islands	Clarion-Clipperton Fracture Zone (reserved area)	–
17 China Minmetals Corporation	To be signed	China	Clarion-Clipperton Fracture Zone (reserved area)	–

B. Contracts for exploration for polymetallic sulphides

<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State</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

<i>Contractor</i>	<i>Date of entry into force</i>	<i>Sponsoring State</i>	<i>General location of the exploration area</i>	<i>Date of expiry</i>
5 Government of India	To be signed	–	Indian Ocean Ridge	–
6 Federal Institute for Geosciences and Natural Resources of Germany	6 May 2015	Germany	Central Indian Ridge and South-east Indian Ridge	5 May 2030

C. Contracts for exploration for cobalt-rich ferromanganese crusts

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

Annex II

Status of consultations with regard to the revision of contracts for exploration existing as at 25 July 2013

<i>Contractor</i>	<i>Status</i>
Government of the Russian Federation (sulphides)	Accepted on 23 July 2015
China Ocean Mineral Resources Research and Development Association (sulphides)	Accepted on 1 July 2015
Tonga Offshore Mining Limited	Accepted on 18 February 2014
Nauru Ocean Resources Inc.	Accepted on 9 July 2015
Institut français de recherche pour l'exploitation de la mer (nodules)	Under consideration
Global Sea Mineral Resources NV	Accepted on 19 December 2013
China Ocean Mineral Resources Research and Development Association (nodules)	Accepted on 1 July 2015
Yuzhmoregeologiya	Accepted on 17 July 2015
Government of India	Fee paid for 2015
Government of the Republic of Korea	Accepted on 17 June 2014
Federal Institute for Geosciences and Natural Resources of Germany	Accepted on 21 March 2014
Deep Ocean Resources Development Ltd.	Accepted on 9 January 2014
Interoceanmetal Joint Organization	Accepted on 28 April 2015
UK Seabed Resources Ltd.	Fee paid for 2014 and 2015



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Periodic review of the implementation of the plans of work for exploration in the Area

Report of the Secretary-General

1. The present report is intended to provide the Council with information on the status of the periodic reviews of the current contracts for exploration in the Area, in accordance with regulation 28 of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area and regulation 30 of the Regulations on Prospecting and Exploration for Polymetallic Sulphides in the Area.
2. Pursuant to the Regulations, every contract for a plan of work for exploration in the Area has a duration of 15 years. In submitting an application for a plan of work, applicants are required to provide, among other things, a general description and a schedule of the proposed exploration programme, including the programme of activities for the immediate five-year period, and a schedule of anticipated yearly expenditures in respect of that programme of activities.¹ Those requirements were included in the Regulations in recognition of the fact that exploration is a dynamic process and that it would be difficult for applicants to specify their anticipated activities and expenditures over the full 15-year period.
3. Regulation 28 of the Nodules Regulations and regulation 30 of the Sulphides Regulations therefore provide a mechanism whereby contractors can adjust their programmes of activities at five-year intervals. This is to be achieved through a periodic review process undertaken jointly between the contractor and the Secretary-General. Pursuant to clause 4.4 of the standard clauses for exploration contracts, such a review is to be undertaken not later than 90 days before the expiration of each five-year period from the date on which the contract entered into force. As part of the review, the contractor is to indicate its programme of activities for the following five years, including a revised schedule of anticipated yearly expenditures, making such adjustments to its previous programme as are necessary. The Secretary-General may require the contractor to submit such additional data and information as may be necessary for the purposes of the review.

¹ Regulation 18, paras. (a) and (f), of the Nodules Regulations and regulation 20, paras. 1 (a) and (f), of the Sulphides Regulations.



4. In 2016, periodic reviews are due to be undertaken in respect of two exploration contracts for polymetallic nodules and one exploration contract for polymetallic sulphides. In the case of the contract for exploration for polymetallic nodules between the Authority and the Federal Institute for Geosciences and Natural Resources of Germany, the second five-year period will expire on 19 July 2016. In the case of the contract for exploration for polymetallic nodules between the Authority and Nauru Ocean Resources Inc., the first five-year period will expire on 22 July 2016. In the case of the contract for exploration for polymetallic sulphides with the China Ocean Mineral Resources Research and Development Association, the first five-year period will expire on 18 November 2016.

5. In accordance with the Regulations and the terms of the contracts, the Secretary-General initiated the process for periodic review in March 2016 by inviting the Federal Institute and Nauru Ocean Resources Inc. to provide a detailed synthesis and analysis of all exploration work and environmental studies carried out during the previous five-year period. They were also invited to include in the report a revised historical breakdown of reported actual and direct exploration expenditures in accordance with the recommendations for the guidance of contractors relating to such reporting issued by the Legal and Technical Commission in 2015 (ISBA/21/LTC/11), together with raw data previously collected and not yet supplied to the Authority. They were further invited to provide a proposed programme of activities for the next five-year period of the contract, together with a revised schedule of anticipated expenditures and a proposed training programme for the same period. The Secretary-General will initiate the process for periodic review with the China Ocean Mineral Resources Research and Development Association following the current session.

6. Nauru Ocean Resources Inc. and the Federal Institute responded to the request of the Secretary-General in April and May 2016, respectively, and submitted their proposed programmes of activities and schedules of anticipated expenditures for the coming five-year period. Those documents will be made available to the members of the Commission for their review. In the case of Nauru Ocean Resources Inc., the contractor also submitted an environmental inception report in relation to a proposed test of a nodule collector with a view to seeking input from the Commission with regard to the proposed scope and timings for the contractor to meet relevant requirements as to the submission of an environmental impact assessment. The Secretary-General has not yet responded to the contractors with regard to the periodic reviews, but intends to do so at an appropriate opportunity following the current session in the light of any comments or suggestions by the Commission, including by holding consultations with individual contractors where appropriate.

Recommendation

7. The Council is invited to take note of the status of the periodic reviews of the above-mentioned plans of work for exploration.



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Laws, regulations and administrative measures adopted by sponsoring States and other members of the International Seabed Authority with respect to the activities in the Area

Report of the Secretary-General

1. At the seventeenth session of the International Seabed Authority, in 2011, the Council of the Authority adopted a decision in which it requested the Secretary-General to prepare a report on the laws, regulations and administrative measures adopted by sponsoring States and other members of the Authority with respect to the activities in the Area, and invited sponsoring States and other members of the Authority, as appropriate, to provide information on, or texts of, relevant national laws, regulations and administrative measures to the secretariat (see [ISBA/17/C/20](#)).
2. At the eighteenth session of the Authority, in 2012, in response to that request, the Secretary-General submitted to the Council a report on the laws, regulations and administrative measures adopted by sponsoring States and other members of the Authority with respect to the activities in the Area ([ISBA/18/C/8](#) and Add.1). After consideration of the report, the Council requested the Secretary-General to update, on an annual basis, the study of the laws, regulations and administrative measures adopted by sponsoring States and other members of the Authority with respect to activities in the Area, and to invite, for that purpose, sponsoring States and other members of the Authority to provide texts of relevant national laws, regulations and administrative measures to the secretariat (see [ISBA/18/C/21](#)).
3. At the nineteenth, twentieth and twenty-first sessions of the Authority, in 2013, 2014 and 2015, respectively, the Secretary-General submitted to the Council updated reports on the matter ([ISBA/19/C/12](#), [ISBA/20/C/11](#) and Add.1, and [ISBA/21/C/7](#)). In addition, the secretariat established an online database of the information on, and texts of, national laws, regulations and administrative measures that sponsoring States and other members of the Authority had submitted.
4. On 14 March 2016, the secretariat circulated a note verbale further inviting sponsoring States and other members of the Authority to submit to the secretariat texts of their relevant national laws, regulations and administrative measures or



related information. In response to that note, Cuba and China submitted texts of, or information related to, their legislation, on 13 and 31 May 2016, respectively.

5. As at 30 May 2016, the following States and areas had provided information on, or texts of, relevant national legislation: Belgium, China, Cook Islands, Cuba, Czech Republic, Fiji, France, Germany, Guyana, India, Japan, Mexico, Nauru, Netherlands, New Zealand, Nigeria, Niue, Oman, Republic of Korea, Singapore, Tonga, United Kingdom of Great Britain and Northern Ireland, United States of America and Zambia; and a submission had also been received from the Pacific Community Secretariat on behalf of the Pacific islands region (see annex). Such information on, or texts of, national laws, regulations and administrative measures submitted by the above-mentioned members of the Authority are available at the Authority's website (www.isa.org.jm/national-legislation-database).

6. The secretariat will continue to keep the online database updated as new information is received. A comprehensive study of the existing national legislation as scheduled will be conducted in due course, with the receipt of more information in this regard, and as the resources of the secretariat permit.

7. The Council is invited to take note of the present report.

Annex

Legislation covered in information submitted by States, areas and the Pacific Community Secretariat

I. General

United Nations Convention on the Law of the Sea, Montego Bay, 10 December 1982. In force 16 November 1994. United Nations *Treaty Series*, vol. 1833, No. 31363, p. 397; 21 *International Legal Materials* 1261 (1982).

Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982. In force 28 July 1994. General Assembly resolution 48/263; 33 *International Legal Materials* 1309 (1994); United Nations *Treaty Series*, vol. 1836, No. 31364, p. 42.

Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area. Adopted 13 July 2000 (ISBA/6/A/18, annex, dated 4 October 2000), amended in 2013 (ISBA/19/C/17, annex, dated 22 July 2013) and further amended in 2014 (ISBA/20/A/9, annex, dated 24 July 2014).

Regulations on Prospecting and Exploration for Polymetallic Sulphides in the Area. Adopted 7 May 2010 (ISBA/16/A/12/Rev.1, annex, dated 15 November 2010) and amended in 2014 (ISBA/20/A/10, annex, dated 24 July 2014).

Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area. Adopted 27 July 2012 (ISBA/18/A/11, annex, dated 22 October 2012).

II. National legislation

Belgium

30 July 2013 — Act introducing provisions regulating the matters covered by article 77 of the Constitution into the Act of 17 August 2013, on prospecting and exploration for, and exploitation of, resources of the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction.

17 August 2013 — Act on prospecting and exploration for, and exploitation of, resources of the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction.

China

Mineral Resources Law of the People's Republic of China. Adopted at the 15th meeting of the Standing Committee of the Sixth National People's Congress on 19 March 1986. Revised in accordance with the Decision of the Standing Committee of the National People's Congress on Revising the Mineral Resources Law of the People's Republic of China, adopted at the 21st meeting of the Standing Committee of the Eighth National People's Congress on 29 August 1996.

Rules for Implementation of the Mineral Resources Law of the People's Republic of China. Promulgated by Decree No. 152 of the State Council of the People's Republic of China on 26 March 1994. Effective as of the date of promulgation.

Marine Environmental Protection Law of the People's Republic of China. Adopted at the 24th meeting of the Standing Committee of the Fifth National People's Congress on 23 August 1982. Effective as of 1 March 1983. Revised at the 13th meeting of the Standing Committee of the Ninth National People's Congress on 25 December 1999 and further revised at the 6th meeting of the Standing Committee of the Twelfth National People's Congress on 28 December 2013.

Administrative Regulation on the Prevention and Treatment of the Pollution and Damage to the Marine Environment by Marine Engineering Construction Projects. Adopted at the 148th executive meeting of the State Council on 30 August 2006. In force as of 1 November 2006.

Law of the People's Republic of China on Exploration for and Exploitation of Resources in the Deep Seabed Area, adopted on 26 February 2016 and effective as of 1 May 2016.

Cook Islands

Seabed Minerals Act 2009.

Model Seabed Minerals Agreement of April 2011.

Cuba

Mining Law, in force since 23 January 1995.

Decree No. 222 of 19 September 1997.

Czech Republic

Prospecting, Exploration for and Exploitation of Mineral Resources from the Seabed beyond Limits of National Jurisdiction. Act No. 158/2000 of 18 May 2000.

Fiji

International Seabed Mineral Management Decree 2013 (Decree No. 21).

France

Note verbale dated 22 March 2013 from the Embassy of France in Jamaica.

Germany

Seabed Mining Act of 6 June 1995 (the Act). Amended by article 74 of the Act of 8 December 2010 (*Federal Law Gazette I*, p. 1,864).

Guyana

Maritime Zones Act 2010 — Act No. 18 of 2010. In force as of 18 September 2010.

India

The Offshore Areas Mineral (Development and Regulation) Act 2002.

Japan

Law on Interim Measures for Deep Sea-bed Mining, 1982.

Mining Act. Adopted 20 December 1950. Amended 22 July 2011.

Mexico

Report on the laws, regulations and administrative measures of Mexico on underwater mining. Submitted by the Embassy of Mexico in Jamaica on 21 December 2011.

Guide for the presentation of environmental impact statements for the mining sector and analysis of gaps and omissions in the conservation of marine biodiversity in Mexican oceans, coasts and islands of the Ministry of the Environment and Natural Resources of Mexico. Submitted by the Embassy of Mexico in Jamaica on 21 December 2011.

General Law on Ecological Balance and the Protection of the Environment. *Official Gazette*, 28 January 1988. Reform and update of 4 June 2012.

Regulations of the General Law on Ecological Balance and the Protection of the Environment on Environmental Impact Assessment. *Official Gazette*, 30 May 2000. Reform and update of 26 April 2012.

Mining Law. *Official Gazette*, 26 June 1992. Amended 28 April 2005.

National environmental policy for the sustainable development of Mexico's oceans and coasts: strategies for their conservation and sustainable use (see [A/61/372](#), annex).

Nauru

See Pacific Islands region.

Netherlands

Note verbale dated 26 March 2013 from the Permanent Mission of the Netherlands.

New Zealand

United Nations Convention on the Law of the Sea Act 1996.

Nigeria

Nigerian Minerals and Mining Act, 2007.

Nigerian Minerals and Mining Regulations, 2011.

Niue

Maritime Zones Act 2013.

Oman

Royal Decree No. 2011/8 regulating oil and gas exploration; and Royal Decree No. 2003/27 and Ministerial Decree No. 2011/77 regulating mineral exploration (Regulations of the Mining Act).

Pacific Islands region

Pacific-ACP States Regional Legislative and Regulatory Framework for Deep Sea Minerals Exploration and Exploitation. Secretariat of the Pacific Community-European Union Deep Sea Minerals Project, 18 April 2012.

Republic of Korea

Note verbale dated 2 April 2013 from the Permanent Mission of the Republic of Korea.

Status of legislation related to Deep Seabed Activity by the Government of the Republic of Korea.

Singapore

Deep Seabed Mining Act 2015.

Tonga

See Pacific Islands region.

United Kingdom of Great Britain and Northern Ireland

Deep Sea Mining (Temporary Provisions) Act 1981, as amended by Deep Sea Mining Act 2014, effective 14 July 2014.

Zambia

Environmental Protection and Pollution Control Act (No. 12 of 1990); and (Amendment) Act 1999 (No. 12 of 1999) — Cap 204 of the Law of Zambia.

III. Reciprocating States legislation

France. Law on the Exploration and Exploitation of Mineral Resources on the Deep Sea-bed 1981, Law No. 81-1135 of 23 December 1981.

Germany. Act on Interim Regulation of Deep Seabed Mining 1980, dated 16 August 1980 (English translation) (1981). *International Legal Materials*, XX, p. 393.

Italy. Regulations on the Exploration and Exploitation of the Mineral Resources of the Deep Seabed, Law No. 41 of 20 February 1985.

Japan. Law on Interim Measures for Deep Sea-bed Mining, 1982. *International Legal Materials*, 22 (1) (1983), pp. 102-122.

New Zealand. Continental Shelf Act 1964.

Union of Soviet Socialist Republics. [Edict on] Provisional Measures to Regulate the Activity of Soviet Enterprises relating to the Exploration and Exploitation of Mineral Resources of Sea-bed Areas beyond the Limits of the Continental Shelf, 17 April 1982.

United Kingdom. Deep Sea Mining (Temporary Provisions) Act 1981. 1981 chapter 53, 28 July 1981.

United Kingdom. Deep Sea Mining (Exploration Licences) (Applications) Regulations 1982, No. 58. Effective 25 January 1982.

United Kingdom. Deep Sea Mining (Exploration Licences) Regulations 1984, No. 1230. In operation on 3 September 1984.

United States. Deep Seabed Hard Mineral Resources Act, 1980. Public Law 96-283, 28 June 1980, 94 Stat. 553 (30 U.S.C. 1401 et seq.), as amended 1 July 2000.

IV. National legislation of an observer State

United States of America

Deep Seabed Hard Mineral Resources Act, 1980. Public Law 96-283, 28 June 1980, 94 Stat. 553 (30 U.S.C. 1401 et seq.), as amended 1 July 2000.

Deep Seabed Mining Regulations Affecting Pre-enactment Explorers. 45 Fed. Reg. 226 (20 November 1980), pp. 76661-76663.

Deep Seabed Mining Regulations for Exploration Licenses 1980. 46 Fed. Reg. 45896 (15 September 1981); 15 Code of Federal Regulations, Part 970.

Deep Seabed Mining Regulations for Commercial Recovery Permits, 54 Fed. Reg. 525 (6 January 1989); 15 Code of Federal Regulations, Part 971.

Guidelines for Obtaining Minerals other than Oil, Gas and Sulphur on the Outer Continental Shelf of the United States Department of the Interior, Minerals Management Service (MMS) (Public Law 103-426, enacted 31 October 1994; 108 Stat. 4371). OCS Report. MMS 99-0070 (December 1999).



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Report and recommendations of the Legal and Technical Commission to the Council of the International Seabed Authority relating to an application for the approval of a plan of work for exploration for cobalt-rich ferromanganese crusts by the Government of the Republic of Korea

I. Introduction

1. On 10 May 2016, the Secretary-General of the International Seabed Authority received an application for the approval of a plan of work for exploration for cobalt-rich ferromanganese crusts in the Area. The application was submitted, pursuant to the Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area (“the Regulations”, [ISBA/18/A/11](#), annex), by the Government of the Republic of Korea.

2. In accordance with regulation 22 (c) of the Regulations, by a note verbale dated 12 May 2016, the Secretary-General notified the members of the Authority of the receipt of the application and circulated information of a general nature concerning it. The Secretary-General also placed consideration of the application as an item on the agenda of the meetings of the Legal and Technical Commission held from 4 to 13 July 2016.

II. Methodology and consideration of the application by the Legal and Technical Commission

A. General methodology applied by the Commission in consideration of the application

3. In its consideration of the application, the Commission noted that, in keeping with the scheme established in article 6 of annex III to the United Nations Convention on the Law of the Sea, it was first required to make an objective determination as to whether the applicant had fulfilled the requirements contained in the Regulations, particularly with respect to the form of applications, namely,



whether the applicant had provided the necessary undertakings and assurances specified in regulation 15; and whether it had the necessary financial and technical capability to carry out the proposed plan of work for exploration and, as appropriate, had satisfactorily discharged its obligations under any previous contract with the Authority. The Commission is then required to determine, in accordance with regulation 23, paragraph 4, and its procedures, whether the proposed plan of work will provide for effective protection of human health and safety, effective protection and preservation of the marine environment, and ensure that installations are not established where interference may be caused to the use of recognized sea lanes essential to international navigation or in areas of intense fishing activity. Regulation 23, paragraph 5, goes on to provide that if the Commission makes the determinations specified in paragraph 3 and determines that the proposed plan of work for exploration meets the requirements of paragraph 4, the Commission shall recommend approval of the plan of work for exploration to the Council.

4. In considering the proposed plan of work for exploration for cobalt-rich ferromanganese crusts, the Commission took into account the principles, policies and objectives relating to activities in the Area as provided for in Part XI of and annex III to the Convention and in the Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.

5. The Commission considered the application in closed meetings on 5, 8 and 11 July 2016.

6. Prior to commencing a detailed examination of the application, the Commission invited a delegation to make a presentation of the application. The delegation included the Permanent Representative of the Republic of Korea to the Authority, Jong Seon Lim; and the Deputy Director of the Marine Development Division of the Ministry of Oceans and Fisheries, Min Jeong Seo. Joining them were Jai Woon Moon, Kyu Son Seung, Se-Jong Ju, Youngtak Ko, Jonguk Kim and Sang Joon Pak, Principal Research Scientists from the Korea Institute of Ocean Science and Technology. Members of the Commission then asked questions to clarify certain aspects of the application before convening in closed session to examine the application in detail. Following its initial consideration, the Commission decided to request the Chair of the Commission to transmit a list of questions to the applicant in writing through the Secretary-General. The written responses provided by the applicant were taken into account by the Commission in its subsequent consideration of the application at its meetings in July.

III. Summary of basic information regarding the application

A. Identification of the applicant

7. The name and address of the applicant are as follows:

- (a) Name: Ministry of Oceans and Fisheries,
Government of the Republic of Korea;
- (b) Street address: Sejong Government Complex
94, Dasom 2-ro, Sejong-si,
Republic of Korea 30110;

- (c) Postal address: as above;
 - (d) Telephone number: +82-44-200-5240;
 - (e) Facsimile number: +82-44-200-5239;
 - (f) E-mail address: hmw91@korea.kr.
8. The applicant's designated representative is:
- (a) Name: Kim Youngsuk, Minister
 - (b) Street address of applicant's designated representative: as above
 - (c) Postal address: as above;
 - (d) Telephone number: as above;
 - (e) Facsimile number: as above;
 - (f) E-mail address: as above.
9. The applicant's place of registration and principal place of business/domicile: Sejong Government Complex, 94, Dasom 2-ro, Sejong-si, Republic of Korea.
10. The applicant is a State party to the Convention.
11. The date of deposit of the instrument of ratification of the United Nations Convention on the Law of the Sea by the Republic of Korea is 29 January 1996; and the date of its consent to be bound by the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 is 29 January 1996.

B. Area of application

12. The area under application is located east of the Northern Mariana Islands and covers a total of 3,000 km². The area consists of 150 blocks, each with an area of 20 km². Each block is rectangular in shape and measures either 5 km by 4 km (or 4 km by 5 km) or 10 km by 2 km (or 2 km by 10 km), in respect of width and length. The blocks are distributed over 9 seamounts and grouped into 13 clusters, each containing 5 to 21 contiguous blocks. All the blocks are geographically confined within an area of 550 km by 550 km. The coordinates and general location of the area under application are shown in the annexes to the present document. The application area is in the International Seabed Area.

C. Other information

13. The application was received on 10 May 2016.
14. The previous contracts with the Authority are as follows:
- (a) The Government of the Republic of Korea has two exploration contracts with the Authority, one for exploration for polymetallic nodules which entered into force on 27 April 2001 and the other for exploration for polymetallic sulphides which entered into force on 24 June 2014;

(b) The reports submitted to the Authority in connection with the contracts for exploration for polymetallic nodules and polymetallic sulphides are listed in the application;

(c) The Government of the Republic of Korea submitted an application to the Authority for approval of the extension of an approved plan of work for exploration for polymetallic nodules that expired on 26 April 2016;

(d) Regarding the decision by the Assembly (see [ISBA/19/A/12](#)) to institute an annual overhead charge of US\$ 47,000 to cover the costs incurred by the Authority in the administration and supervision of the exploration contracts, the Government of the Republic of Korea agreed to incorporate clauses 10.5 and 10.6 of the standard clauses for exploration contracts in the exploration contract for polymetallic nodules, on 17 June 2014 and had paid the overhead charges of US\$ 47,000 for each of the two contracts with the Authority since 2015.

15. The applicant attached a written undertaking signed by the applicant's designated representative, in compliance with regulation 15 of the Regulations.

16. The applicant elects to offer an equity interest in a joint venture arrangement, in accordance with regulation 19 of the Regulations.

17. The applicant has paid a fee of \$500,000, in accordance with regulation 21.1 of the Regulations.

IV. Examination of information and technical data submitted by the applicant

18. The following technical documents and information were submitted in the application:

(a) Information relating to the area under application:

(i) Charts of the location of the blocks under application;

(ii) A list of the coordinates of the corners of blocks;

(b) A certificate of financial capability;

(c) Information to enable the Council to determine whether the applicant is financially capable of carrying out the proposed plan of work for exploration;

(d) Information to enable the Council to determine whether the applicant is technically capable of carrying out the proposed plan of work for exploration;

(e) Plan of work for exploration;

(f) Training programme;

(g) Written undertakings by the applicant.

V. Consideration of financial and technical qualifications of the applicant

A. Financial capacity

19. The applicant declared its financial capacity to carry out the proposed plan of work for exploration and fulfil its financial obligations to the Authority.

20. In evaluating the financial capacity of the applicant, the Commission noted that, in accordance with regulation 13.3 of the Regulations, it had been provided with a statement signed by the applicant's designated representative certifying that the applicant would have the necessary funds to meet the estimated minimum expenditure under the proposed plan of work for exploration and would fulfil its financial obligations to the Authority.

B. Technical capacity

21. In evaluating the technical capacity of the applicant, the Commission noted that the applicant had provided information in relation to relevant activities, including multiple marine scientific surveys conducted since 1999 for cobalt-rich ferromanganese crusts in the western Pacific, including in the proposed application area, employing the most sophisticated and cutting-edge technology, such as a remotely operated vehicle, a television monitored grab and deep-towed side scan sonar. The applicant indicated that three research institutes, namely, the Korea Institute of Ocean Science and Technology, the Korea Research Institute of Ships and Ocean Engineering and the Korea Institute of Geoscience and Mineral Resources, had been actively conducting marine scientific studies of deep seabed minerals for more than 25 years and that over 100 scientists, in collaboration with universities and industries, had been actively investigating deep seabed mineral resources and mining technologies. In addition, the applicant stated that it had been fulfilling satisfactorily its obligations as a pioneer investor and current contractor with the Authority for the exploration of polymetallic nodules and polymetallic sulphides. The Commission noted that the applicant further provided a general description of the equipment and methods that would be used to carry out the proposed plan of work for exploration.

22. The applicant will conduct geological, geophysical and environmental tests to select prospective mining sites. An economic evaluation study to analyse the economic aspects and assess the technological aspects of mining will be conducted at the end of the 15-year period. The applicant further indicated that it would develop a new technology for non-destructive measurement of cobalt-rich ferromanganese crust thickness, and work on ore processing technology. This will help in the selection of mining areas and the completion of areas to be relinquished, in accordance with the Regulations.

23. The applicant provided information relating to the prevention, reduction and control of hazards to and possible impacts on the marine environment. This included the description of a programme for oceanographic and environmental baseline studies which was designed mainly on the basis of the Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area ([ISBA/19/LTC/8](#)). The

oceanographic and environmental studies would be carried out in three different stages over the next 15 years. The applicant stated that most of the proposed activities were classified as “activities not requiring environmental impact assessment”, as identified by the Commission in the Recommendations. The applicant also stated that the exploration-related sources of impacts on the biological environment were expected to be temporary and localized. If necessary, the applicant would carry out an environmental impact assessment for the towing sledge and/or seabed drilling systems during the first five-year period and for the hyperbenthic sledge. The applicant further stated that it would apply the precautionary approach and best environmental practice to prevent, reduce and control pollution and other hazards to the marine environment arising from its activities in the Area. Furthermore, the applicant is willing to facilitate cooperation with the Authority, other contractors, States neighbouring its proposed exploration area and experts to increase the chance of accessibility to state-of-the-art standardized sampling methods and taxonomy.

VI. Consideration of data and information submitted for approval of the plan of work for exploration

24. In accordance with regulation 20 of the Regulations, the applicant submitted the following information for approval of the plan of work for exploration:

(a) A general description and a schedule of the proposed exploration programme, including the programme of activities for the immediate five-year period;

(b) A description of the programme for oceanographic and environmental baseline studies, in accordance with the Regulations and any environmental rules, regulations and procedures established by the Authority, that would enable an assessment of the potential environmental impact, including, but not restricted to, the impact on biodiversity of the proposed exploration activities, taking into account any recommendations issued by the Legal and Technical Commission;

(c) A preliminary assessment of the possible impact of the proposed exploration activities on the marine environment;

(d) A description of proposed measures for the prevention, reduction and control of pollution and other hazards to, as well as possible impacts on, the marine environment;

(e) Data necessary for the Council to make the determination, as required by regulation 13, paragraph 1;

(f) A schedule of anticipated yearly expenditure in respect of the programme of activities for the immediate five-year period.

VII. Training programme

25. The Commission noted that the applicant stated that, in accordance with regulation 29 and section 8 of annex IV to the Regulations, the contractor would organize and provide trainees with opportunities to participate in the following training programmes during the first five-year period of the contract:

- (a) An at-sea exploration training programme;
- (b) An internship programme on the marine environment or geosciences.

VIII. Conclusion and recommendations

26. Having examined the particulars submitted by the applicant, summarized in sections III to VII above, the Commission is satisfied that the application has been duly submitted in accordance with the Regulations and that the applicant is a qualified applicant within the meaning of annex III, article 4, of the Convention. The Commission is further satisfied that the applicant:

- (a) Has complied with the provisions of the Regulations;
- (b) Has given the undertakings and assurances specified in regulation 15 of the Regulations;
- (c) Possesses the financial and technical capability to carry out the proposed plan of work for exploration.

27. The Commission states that none of the conditions in regulation 23.6 of the Regulations apply.

28. With respect to the proposed plan of work for exploration, the Commission is satisfied that the proposed plan of work for exploration will:

- (a) Provide for effective protection of human health and safety;
- (b) Provide for effective protection and preservation of the marine environment;
- (c) Ensure that installations are not established where interference may be caused to the use of recognized sea lanes essential to international navigation or in areas of intense fishing activity.

29. Accordingly, pursuant to regulation 23.5, the Commission recommends to the Council approval of the plan of work for exploration for cobalt-rich ferromanganese crusts submitted by the Government of the Republic of Korea.

Annex I

Application for approval of a plan of work for exploration for cobalt-rich ferromanganese crusts by the Government of the Republic of Korea

Attachment 5

Geographical coordinates of the 150 blocks under application (WGS 84)

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
<i>KC-1</i>	<i>1</i>	<i>20.0</i>	<i>2,185,361.53</i>	<i>562,903.81</i>	<i>19</i>	<i>45</i>	<i>46.63</i>	<i>153</i>	<i>36</i>	<i>1.59</i>
			<i>2,185,361.53</i>	<i>572,903.00</i>	<i>19</i>	<i>45</i>	<i>45.39</i>	<i>153</i>	<i>41</i>	<i>45.18</i>
			<i>2,183,361.53</i>	<i>572,903.00</i>	<i>19</i>	<i>44</i>	<i>40.33</i>	<i>153</i>	<i>41</i>	<i>44.90</i>
			<i>2,183,361.53</i>	<i>562,903.81</i>	<i>19</i>	<i>44</i>	<i>41.57</i>	<i>153</i>	<i>36</i>	<i>1.35</i>
	<i>2</i>	<i>20.0</i>	<i>2,183,361.53</i>	<i>561,903.81</i>	<i>19</i>	<i>44</i>	<i>41.68</i>	<i>153</i>	<i>35</i>	<i>26.99</i>
			<i>2,183,361.53</i>	<i>571,903.81</i>	<i>19</i>	<i>44</i>	<i>40.46</i>	<i>153</i>	<i>41</i>	<i>10.57</i>
			<i>2,181,361.53</i>	<i>571,903.81</i>	<i>19</i>	<i>43</i>	<i>35.40</i>	<i>153</i>	<i>41</i>	<i>10.29</i>
			<i>2,181,361.53</i>	<i>561,903.81</i>	<i>19</i>	<i>43</i>	<i>36.62</i>	<i>153</i>	<i>35</i>	<i>26.75</i>
	<i>3</i>	<i>20.0</i>	<i>2,181,361.53</i>	<i>561,903.81</i>	<i>19</i>	<i>43</i>	<i>36.62</i>	<i>153</i>	<i>35</i>	<i>26.75</i>
			<i>2,181,361.53</i>	<i>571,903.81</i>	<i>19</i>	<i>43</i>	<i>35.40</i>	<i>153</i>	<i>41</i>	<i>10.29</i>
			<i>2,179,361.53</i>	<i>571,903.81</i>	<i>19</i>	<i>42</i>	<i>30.34</i>	<i>153</i>	<i>41</i>	<i>10.02</i>
			<i>2,179,361.53</i>	<i>561,903.81</i>	<i>19</i>	<i>42</i>	<i>31.56</i>	<i>153</i>	<i>35</i>	<i>26.51</i>
	<i>4</i>	<i>20.0</i>	<i>2,179,361.53</i>	<i>569,903.81</i>	<i>19</i>	<i>42</i>	<i>30.60</i>	<i>153</i>	<i>40</i>	<i>1.32</i>
			<i>2,177,361.53</i>	<i>569,903.81</i>	<i>19</i>	<i>41</i>	<i>25.53</i>	<i>153</i>	<i>40</i>	<i>1.05</i>
			<i>2,177,361.53</i>	<i>559,903.81</i>	<i>19</i>	<i>41</i>	<i>26.72</i>	<i>153</i>	<i>34</i>	<i>17.58</i>
			<i>2,179,361.53</i>	<i>559,903.81</i>	<i>19</i>	<i>42</i>	<i>31.78</i>	<i>153</i>	<i>34</i>	<i>17.81</i>
	<i>5</i>	<i>20.0</i>	<i>2,177,361.53</i>	<i>558,903.81</i>	<i>19</i>	<i>41</i>	<i>26.83</i>	<i>153</i>	<i>33</i>	<i>43.23</i>
			<i>2,177,361.53</i>	<i>568,903.81</i>	<i>19</i>	<i>41</i>	<i>25.66</i>	<i>153</i>	<i>39</i>	<i>26.70</i>
			<i>2,175,361.53</i>	<i>568,903.81</i>	<i>19</i>	<i>40</i>	<i>20.60</i>	<i>153</i>	<i>39</i>	<i>26.43</i>
			<i>2,175,361.53</i>	<i>558,903.81</i>	<i>19</i>	<i>40</i>	<i>21.76</i>	<i>153</i>	<i>33</i>	<i>43.01</i>
	<i>6</i>	<i>20.0</i>	<i>2,175,361.53</i>	<i>556,903.81</i>	<i>19</i>	<i>40</i>	<i>21.97</i>	<i>153</i>	<i>32</i>	<i>34.32</i>
			<i>2,175,361.53</i>	<i>566,903.81</i>	<i>19</i>	<i>40</i>	<i>20.85</i>	<i>153</i>	<i>38</i>	<i>17.75</i>
			<i>2,173,361.53</i>	<i>566,903.81</i>	<i>19</i>	<i>39</i>	<i>15.78</i>	<i>153</i>	<i>38</i>	<i>17.49</i>
			<i>2,173,361.53</i>	<i>556,903.81</i>	<i>19</i>	<i>39</i>	<i>16.91</i>	<i>153</i>	<i>32</i>	<i>34.10</i>
	<i>7</i>	<i>20.0</i>	<i>2,173,361.53</i>	<i>555,903.81</i>	<i>19</i>	<i>39</i>	<i>17.01</i>	<i>153</i>	<i>31</i>	<i>59.76</i>
			<i>2,173,361.53</i>	<i>565,903.81</i>	<i>19</i>	<i>39</i>	<i>15.90</i>	<i>153</i>	<i>37</i>	<i>43.15</i>
			<i>2,171,361.53</i>	<i>565,903.81</i>	<i>19</i>	<i>38</i>	<i>10.84</i>	<i>153</i>	<i>37</i>	<i>42.90</i>
			<i>2,171,361.53</i>	<i>555,903.81</i>	<i>19</i>	<i>38</i>	<i>11.95</i>	<i>153</i>	<i>31</i>	<i>59.55</i>
	<i>8</i>	<i>20.0</i>	<i>2,171,361.53</i>	<i>564,903.81</i>	<i>19</i>	<i>38</i>	<i>10.96</i>	<i>153</i>	<i>37</i>	<i>8.57</i>
			<i>2,169,361.53</i>	<i>564,903.81</i>	<i>19</i>	<i>37</i>	<i>5.90</i>	<i>153</i>	<i>37</i>	<i>8.32</i>
			<i>2,169,361.53</i>	<i>554,903.81</i>	<i>19</i>	<i>37</i>	<i>6.99</i>	<i>153</i>	<i>31</i>	<i>25.00</i>
			<i>2,171,361.53</i>	<i>554,903.81</i>	<i>19</i>	<i>38</i>	<i>12.05</i>	<i>153</i>	<i>31</i>	<i>25.21</i>
	<i>9</i>	<i>20.0</i>	<i>2,169,361.53</i>	<i>560,903.81</i>	<i>19</i>	<i>37</i>	<i>6.35</i>	<i>153</i>	<i>34</i>	<i>50.99</i>
			<i>2,169,361.53</i>	<i>562,903.81</i>	<i>19</i>	<i>37</i>	<i>6.13</i>	<i>153</i>	<i>35</i>	<i>59.65</i>
			<i>2,159,361.53</i>	<i>562,903.81</i>	<i>19</i>	<i>31</i>	<i>40.81</i>	<i>153</i>	<i>35</i>	<i>58.45</i>
			<i>2,159,361.53</i>	<i>560,903.81</i>	<i>19</i>	<i>31</i>	<i>41.04</i>	<i>153</i>	<i>34</i>	<i>49.83</i>
	<i>10</i>	<i>20.0</i>	<i>2,169,361.53</i>	<i>560,903.81</i>	<i>19</i>	<i>37</i>	<i>6.35</i>	<i>153</i>	<i>34</i>	<i>50.99</i>
			<i>2,159,361.53</i>	<i>560,903.81</i>	<i>19</i>	<i>31</i>	<i>41.04</i>	<i>153</i>	<i>34</i>	<i>49.83</i>
			<i>2,159,361.53</i>	<i>558,903.81</i>	<i>19</i>	<i>31</i>	<i>41.25</i>	<i>153</i>	<i>33</i>	<i>41.20</i>

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			2,169,361.53	558,903.81	19	37	6.57	153	33	42.33
	11	20.0	2,169,361.53	558,903.81	19	37	6.57	153	33	42.33
			2,159,361.53	558,903.81	19	31	41.25	153	33	41.20
			2,159,361.53	556,903.81	19	31	41.46	153	32	32.58
			2,169,361.53	556,903.81	19	37	6.78	153	32	33.67
	12	20.0	2,159,361.53	556,903.81	19	31	41.46	153	32	32.58
			2,159,361.53	554,903.81	19	31	41.66	153	31	23.95
			2,169,361.53	554,903.81	19	37	6.99	153	31	25.00
			2,169,361.53	556,903.81	19	37	6.78	153	32	33.67
	13	20.0	2,170,361.53	554,903.81	19	37	39.52	153	31	25.11
			2,160,361.53	554,903.81	19	32	14.20	153	31	24.06
			2,160,361.53	552,903.81	19	32	14.39	153	30	15.43
			2,170,361.53	552,903.81	19	37	39.71	153	30	16.44
	14	20.0	2,169,361.53	552,903.81	19	37	7.18	153	30	16.34
			2,159,361.53	552,903.81	19	31	41.86	153	30	15.33
			2,159,361.53	550,903.81	19	31	42.05	153	29	6.70
			2,169,361.53	550,903.81	19	37	7.37	153	29	7.67
	15	20.0	2,167,361.53	550,903.81	19	36	2.31	153	29	7.48
			2,157,361.53	550,903.81	19	30	36.98	153	29	6.51
			2,157,361.53	548,903.81	19	30	37.16	153	27	57.89
			2,167,361.53	548,903.81	19	36	2.49	153	27	58.82
	16	20.0	2,166,361.53	548,903.81	19	35	29.96	153	27	58.73
			2,156,361.53	548,903.81	19	30	4.63	153	27	57.79
			2,156,361.53	546,903.81	19	30	4.80	153	26	49.18
			2,166,361.53	546,903.81	19	35	30.13	153	26	50.08
	17	20.0	2,166,361.53	546,903.81	19	35	30.13	153	26	50.08
			2,156,361.53	546,903.81	19	30	4.80	153	26	49.18
			2,156,361.53	544,903.81	19	30	4.97	153	25	40.57
			2,166,361.53	544,903.81	19	35	30.30	153	25	41.42
	18	20.0	2,166,361.53	542,903.81	19	35	30.46	153	24	32.77
			2,156,361.53	542,903.81	19	30	5.13	153	24	31.95
			2,156,361.53	544,903.81	19	30	4.97	153	25	40.57
			2,166,361.53	544,903.81	19	35	30.30	153	25	41.42
KC-2	19	20.0	2,187,550.94	368,109.39	19	46	45.53	151	44	27.54
			2,187,550.94	372,109.39	19	46	46.48	151	46	44.97
			2,192,550.94	372,109.39	19	49	29.11	151	46	43.73
			2,192,550.94	368,109.39	19	49	28.16	151	44	26.26
	20	20.0	2,192,550.94	368,109.39	19	49	28.16	151	44	26.26
			2,192,550.94	364,109.39	19	49	27.17	151	42	8.78

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			2,187,550.94	364,109.39	19	46	44.55	151	42	10.10
			2,187,550.94	368,109.39	19	46	45.53	151	44	27.54
	21	20.0	2,183,550.94	364,109.39	19	44	34.45	151	42	11.15
			2,183,550.94	369,109.39	19	44	35.67	151	45	2.91
			2,187,550.94	369,109.39	19	46	45.77	151	45	1.90
			2,187,550.94	364,109.39	19	46	44.55	151	42	10.10
	22	20.0	2,183,550.94	364,109.39	19	44	34.45	151	42	11.15
			2,178,550.94	364,109.39	19	41	51.83	151	42	12.47
			2,178,550.94	368,109.39	19	41	52.80	151	44	29.83
			2,183,550.94	368,109.39	19	44	35.43	151	44	28.56
	23	20.0	2,189,550.94	362,109.39	19	47	49.10	151	41	0.85
			2,179,550.94	362,109.39	19	42	23.85	151	41	3.52
			2,179,550.94	364,109.39	19	42	24.35	151	42	12.20
			2,189,550.94	364,109.39	19	47	49.60	151	42	9.57
	24	20.0	2,189,550.94	360,109.39	19	47	48.59	151	39	52.13
			2,179,550.94	360,109.39	19	42	23.34	151	39	54.83
			2,179,550.94	362,109.39	19	42	23.85	151	41	3.52
			2,189,550.94	362,109.39	19	47	49.10	151	41	0.85
	25	20.0	2,179,550.94	360,109.39	19	42	23.34	151	39	54.83
			2,179,550.94	364,109.39	19	42	24.35	151	42	12.20
			2,174,550.94	364,109.39	19	39	41.73	151	42	13.51
			2,174,550.94	360,109.39	19	39	40.72	151	39	56.18
	26	20.0	2,188,550.94	360,109.39	19	47	16.06	151	39	52.40
			2,178,550.94	360,109.39	19	41	50.82	151	39	55.10
			2,178,550.94	358,109.39	19	41	50.31	151	38	46.42
			2,188,550.94	358,109.39	19	47	15.54	151	38	43.68
	27	20.0	2,178,550.94	358,109.39	19	41	50.31	151	38	46.42
			2,168,550.94	358,109.39	19	36	25.06	151	38	49.15
			2,168,550.94	360,109.39	19	36	25.58	151	39	57.79
			2,178,550.94	360,109.39	19	41	50.82	151	39	55.10
	28	20.0	2,186,550.94	356,109.39	19	46	9.97	151	37	35.52
			2,176,550.94	356,109.39	19	40	44.74	151	37	38.30
			2,176,550.94	358,109.39	19	40	45.26	151	38	46.97
			2,186,550.94	358,109.39	19	46	10.50	151	38	44.23
	29	20.0	2,166,550.94	356,109.39	19	35	19.50	151	37	41.06
			2,166,550.94	358,109.39	19	35	20.01	151	38	49.69
			2,176,550.94	358,109.39	19	40	45.26	151	38	46.97
			2,176,550.94	356,109.39	19	40	44.74	151	37	38.30
	30	20.0	2,183,550.94	354,109.39	19	44	31.87	151	36	27.65

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			2,173,550.94	354,109.39	19	39	6.64	151	36	30.47
			2,173,550.94	356,109.39	19	39	7.16	151	37	39.13
			2,183,550.94	356,109.39	19	44	32.40	151	37	36.35
	31	20.0	2,173,550.94	354,109.39	19	39	6.64	151	36	30.47
			2,163,550.94	354,109.39	19	33	41.40	151	36	33.26
			2,163,550.94	356,109.39	19	33	41.92	151	37	41.88
			2,173,550.94	356,109.39	19	39	7.16	151	37	39.13
	32	20.0	2,172,550.94	352,109.39	19	38	33.58	151	35	22.09
			2,172,550.94	354,109.39	19	38	34.11	151	36	30.75
			2,182,550.94	354,109.39	19	43	59.35	151	36	27.93
			2,182,550.94	352,109.39	19	43	58.81	151	35	19.24
	33	20.0	2,162,550.94	352,109.39	19	33	8.34	151	35	24.92
			2,162,550.94	354,109.39	19	33	8.87	151	36	33.54
			2,172,550.94	354,109.39	19	38	34.11	151	36	30.75
			2,172,550.94	352,109.39	19	38	33.58	151	35	22.09
	34	20.0	2,182,550.94	350,109.39	19	43	58.27	151	34	10.55
			2,172,550.94	350,109.39	19	38	33.04	151	34	13.43
			2,172,550.94	352,109.39	19	38	33.58	151	35	22.09
			2,182,550.94	352,109.39	19	43	58.81	151	35	19.24
	35	20.0	2,168,550.94	347,109.39	19	36	22.12	151	32	31.63
			2,168,550.94	352,109.39	19	36	23.48	151	35	23.23
			2,172,550.94	352,109.39	19	38	33.58	151	35	22.09
			2,172,550.94	347,109.39	19	38	32.21	151	32	30.45
	36	20.0	2,168,550.94	347,109.39	19	36	22.12	151	32	31.63
			2,164,550.94	347,109.39	19	34	12.03	151	32	32.80
			2,164,550.94	352,109.39	19	34	13.39	151	35	24.36
			2,168,550.94	352,109.39	19	36	23.48	151	35	23.23
KC-3	37	20.0	2,258,404.68	257,834.69	20	24	30.83	150	40	45.83
			2,254,404.68	257,834.69	20	22	20.81	150	40	47.77
			2,254,404.68	252,834.69	20	22	18.49	150	37	55.43
			2,258,404.68	252,834.69	20	24	28.51	150	37	53.45
	38	20.0	2,254,404.68	265,834.69	20	22	24.42	150	45	23.53
			2,249,404.68	265,834.69	20	19	41.89	150	45	25.88
			2,249,404.68	261,834.69	20	19	40.10	150	43	8.04
			2,254,404.68	261,834.69	20	22	22.63	150	43	5.65
	39	20.0	2,254,404.68	261,834.69	20	22	22.63	150	43	5.65
			2,249,404.68	261,834.69	20	19	40.10	150	43	8.04
			2,249,404.68	257,834.69	20	19	38.29	150	40	50.20
			2,254,404.68	257,834.69	20	22	20.81	150	40	47.77

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
	40	20.0	2,254,404.68	257,834.69	20	22	20.81	150	40	47.77
			2,249,404.68	257,834.69	20	19	38.29	150	40	50.20
			2,249,404.68	253,834.69	20	19	36.45	150	38	32.37
			2,254,404.68	253,834.69	20	22	18.96	150	38	29.90
	41	20.0	2,249,404.68	259,834.69	20	19	39.20	150	41	59.12
			2,244,404.68	259,834.69	20	16	56.68	150	42	1.52
			2,244,404.68	255,834.69	20	16	54.85	150	39	43.72
			2,249,404.68	255,834.69	20	19	37.37	150	39	41.28
	42	20.0	2,249,404.68	255,834.69	20	19	37.37	150	39	41.28
			2,244,404.68	255,834.69	20	16	54.85	150	39	43.72
			2,244,404.68	251,834.69	20	16	53.00	150	37	25.93
			2,249,404.68	251,834.69	20	19	35.51	150	37	23.45
	43	20.0	2,244,404.68	254,834.69	20	16	54.39	150	39	9.28
			2,239,404.68	254,834.69	20	14	11.87	150	39	11.72
			2,239,404.68	250,834.69	20	14	10.02	150	36	53.97
			2,244,404.68	250,834.69	20	16	52.53	150	36	51.49
KC-4A	44	20.0	2,173,172.10	259,843.99	19	38	21.20	150	42	35.34
			2,173,172.10	264,843.99	19	38	23.36	150	45	26.89
			2,169,172.10	264,843.99	19	36	13.33	150	45	28.70
			2,169,172.10	259,843.99	19	36	11.17	150	42	37.18
	45	20.0	2,171,172.10	266,843.99	19	37	19.19	150	46	36.41
			2,181,172.10	266,843.99	19	42	44.28	150	46	31.93
			2,181,172.10	264,843.99	19	42	43.42	150	45	23.27
			2,171,172.10	264,843.99	19	37	18.34	150	45	27.80
	46	20.0	2,172,172.10	266,843.99	19	37	51.70	150	46	35.97
			2,172,172.10	268,843.99	19	37	52.55	150	47	44.59
			2,182,172.10	268,843.99	19	43	17.64	150	47	40.14
			2,182,172.10	266,843.99	19	43	16.79	150	46	31.48
	47	20.0	2,182,172.10	268,843.99	19	43	17.64	150	47	40.14
			2,182,172.10	270,843.99	19	43	18.48	150	48	48.80
			2,172,172.10	270,843.99	19	37	53.38	150	48	53.21
			2,172,172.10	268,843.99	19	37	52.55	150	47	44.59
	48	20.0	2,182,172.10	270,843.99	19	43	18.48	150	48	48.80
			2,182,172.10	272,843.99	19	43	19.31	150	49	57.46
			2,172,172.10	272,843.99	19	37	54.21	150	50	1.83
			2,172,172.10	270,843.99	19	37	53.38	150	48	53.21
	49	20.0	2,181,172.10	272,843.99	19	42	46.80	150	49	57.89
			2,181,172.10	274,843.99	19	42	47.63	150	51	6.55
			2,171,172.10	274,843.99	19	37	22.53	150	51	10.88

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			2,171,172.10	272,843.99	19	37	21.70	150	50	2.26
KC-4B	50	20.0	2,176,172.10	274,843.99	19	40	5.08	150	51	8.72
			2,176,172.10	279,843.99	19	40	7.11	150	54	0.32
			2,172,172.10	279,843.99	19	37	57.06	150	54	2.01
			2,172,172.10	274,843.99	19	37	55.04	150	51	10.45
	51	20.0	2,190,672.10	258,843.99	19	47	49.63	150	41	52.89
			2,190,672.10	253,843.99	19	47	47.39	150	39	1.17
			2,194,672.10	253,843.99	19	49	57.41	150	38	59.26
			2,194,672.10	258,843.99	19	49	59.65	150	41	51.02
	52	20.0	2,194,672.10	253,843.99	19	49	57.41	150	38	59.26
			2,190,672.10	253,843.99	19	47	47.39	150	39	1.17
			2,190,672.10	248,843.99	19	47	45.11	150	36	9.47
			2,194,672.10	248,843.99	19	49	55.13	150	36	7.52
	53	20.0	2,188,672.10	263,843.99	19	46	46.80	150	44	45.52
			2,183,672.10	263,843.99	19	44	4.26	150	44	47.81
			2,183,672.10	259,843.99	19	44	2.52	150	42	30.49
			2,188,672.10	259,843.99	19	46	45.06	150	42	28.16
	54	20.0	2,190,672.10	259,843.99	19	47	50.07	150	42	27.23
			2,185,672.10	259,843.99	19	45	7.54	150	42	29.56
			2,185,672.10	255,843.99	19	45	5.76	150	40	12.22
			2,190,672.10	255,843.99	19	47	48.29	150	40	9.86
	55	20.0	2,190,672.10	251,843.99	19	47	46.48	150	37	52.49
			2,190,672.10	255,843.99	19	47	48.29	150	40	9.86
			2,185,672.10	255,843.99	19	45	5.76	150	40	12.22
			2,185,672.10	251,843.99	19	45	3.96	150	37	54.89
	56	20.0	2,190,672.10	251,843.99	19	47	46.48	150	37	52.49
			2,185,672.10	251,843.99	19	45	3.96	150	37	54.89
			2,185,672.10	247,843.99	19	45	2.13	150	35	37.57
			2,190,672.10	247,843.99	19	47	44.65	150	35	35.13
	57	20.0	2,185,672.10	251,843.99	19	45	3.96	150	37	54.89
			2,181,672.10	251,843.99	19	42	53.94	150	37	56.81
			2,181,672.10	246,843.99	19	42	51.65	150	35	5.19
			2,185,672.10	246,843.99	19	45	1.67	150	35	3.24
	58	20.0	2,181,672.10	246,843.99	19	42	51.65	150	35	5.19
			2,181,672.10	250,843.99	19	42	53.48	150	37	22.49
			2,176,672.10	250,843.99	19	40	10.96	150	37	24.89
			2,176,672.10	246,843.99	19	40	9.13	150	35	7.63
	59	20.0	2,176,672.10	250,843.99	19	40	10.96	150	37	24.89
			2,172,672.10	250,843.99	19	38	0.94	150	37	26.80

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			2,172,672.10	245,843.99	19	37	58.65	150	34	35.27
			2,176,672.10	245,843.99	19	40	8.67	150	34	33.32
	60	20.0	2,173,672.10	250,843.99	19	38	33.44	150	37	26.32
			2,173,672.10	252,843.99	19	38	34.35	150	38	34.94
			2,163,672.10	252,843.99	19	33	9.29	150	38	39.67
			2,163,672.10	250,843.99	19	33	8.39	150	37	31.10
	61	20.0	2,172,672.10	245,843.99	19	37	58.65	150	34	35.27
			2,172,672.10	250,843.99	19	38	0.94	150	37	26.80
			2,168,672.10	250,843.99	19	35	50.92	150	37	28.71
			2,168,672.10	245,843.99	19	35	48.63	150	34	37.22
	62	20.0	2,168,672.10	250,843.99	19	35	50.92	150	37	28.71
			2,163,672.10	250,843.99	19	33	8.39	150	37	31.10
			2,163,672.10	246,843.99	19	33	6.57	150	35	13.94
			2,168,672.10	246,843.99	19	35	49.09	150	35	11.52
	63	20.0	2,163,672.10	246,843.99	19	33	6.57	150	35	13.94
			2,163,672.10	256,843.99	19	33	11.06	150	40	56.84
			2,161,672.10	256,843.99	19	32	6.05	150	40	57.77
			2,161,672.10	246,843.99	19	32	1.56	150	35	14.91
KC-5A	64	20.0	2,238,411.76	202,448.07	20	13	12.91	150	9	8.62
			2,238,411.76	207,448.07	20	13	15.67	150	12	0.72
			2,234,411.76	207,448.07	20	11	5.71	150	12	3.05
			2,234,411.76	202,448.07	20	11	2.94	150	9	10.98
	65	20.0	2,237,411.76	207,448.07	20	12	43.18	150	12	1.30
			2,237,411.76	211,448.07	20	12	45.36	150	14	18.99
			2,232,411.76	211,448.07	20	10	2.90	150	14	21.85
			2,232,411.76	207,448.07	20	10	0.72	150	12	4.21
	66	20.0	2,233,411.76	211,448.07	20	10	35.39	150	14	21.28
			2,233,411.76	215,448.07	20	10	37.54	150	16	38.94
			2,228,411.76	215,448.07	20	7	55.06	150	16	41.75
			2,228,411.76	211,448.07	20	7	52.92	150	14	24.14
	67	20.0	2,228,411.76	215,448.07	20	7	55.06	150	16	41.75
			2,228,411.76	219,448.07	20	7	57.18	150	18	59.38
			2,223,411.76	219,448.07	20	5	14.70	150	19	2.15
			2,223,411.76	215,448.07	20	5	12.59	150	16	44.56
	68	20.0	2,228,411.76	215,448.07	20	7	55.06	150	16	41.75
			2,223,411.76	215,448.07	20	5	12.59	150	16	44.56
			2,223,411.76	211,448.07	20	5	10.45	150	14	26.99
			2,228,411.76	211,448.07	20	7	52.92	150	14	24.14
	69	20.0	2,218,411.76	216,448.07	20	2	30.64	150	17	21.75

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			2,223,411.76	216,448.07	20	5	13.12	150	17	18.96
			2,223,411.76	220,448.07	20	5	15.22	150	19	36.54
			2,218,411.76	220,448.07	20	2	32.74	150	19	39.30
	70	20.0	2,223,411.76	212,448.07	20	5	10.99	150	15	1.38
			2,223,411.76	216,448.07	20	5	13.12	150	17	18.96
			2,218,411.76	216,448.07	20	2	30.64	150	17	21.75
			2,218,411.76	212,448.07	20	2	28.52	150	15	4.21
	71	20.0	2,218,411.76	218,448.07	20	2	31.69	150	18	30.52
			2,218,411.76	222,448.07	20	2	33.77	150	20	48.07
			2,213,411.76	222,448.07	19	59	51.29	150	20	50.80
			2,213,411.76	218,448.07	19	59	49.21	150	18	33.29
	72	20.0	2,213,411.76	219,448.07	19	59	49.74	150	19	7.67
			2,213,411.76	223,448.07	19	59	51.80	150	21	25.18
			2,208,411.76	223,448.07	19	57	9.32	150	21	27.89
			2,208,411.76	219,448.07	19	57	7.25	150	19	10.42
	73	20.0	2,208,411.76	223,448.07	19	57	9.32	150	21	27.89
			2,203,411.76	223,448.07	19	54	26.83	150	21	30.59
			2,203,411.76	219,448.07	19	54	24.77	150	19	13.16
			2,208,411.76	219,448.07	19	57	7.25	150	19	10.42
	74	20.0	2,205,411.76	219,448.07	19	55	29.76	150	19	12.06
			2,201,411.76	219,448.07	19	53	19.78	150	19	14.25
			2,201,411.76	214,448.07	19	53	17.17	150	16	22.49
			2,205,411.76	214,448.07	19	55	27.15	150	16	20.26
KC-5B	75	20.0	2,233,411.76	200,448.07	20	10	29.33	150	8	2.75
			2,228,411.76	200,448.07	20	7	46.88	150	8	5.72
			2,228,411.76	196,448.07	20	7	44.63	150	5	48.12
			2,233,411.76	196,448.07	20	10	27.07	150	5	45.11
	76	20.0	2,228,411.76	200,448.07	20	7	46.88	150	8	5.72
			2,224,411.76	200,448.07	20	5	36.92	150	8	8.08
			2,224,411.76	195,448.07	20	5	34.10	150	5	16.13
			2,228,411.76	195,448.07	20	7	44.06	150	5	13.72
	77	20.0	2,228,411.76	195,448.07	20	7	44.06	150	5	13.72
			2,224,411.76	195,448.07	20	5	34.10	150	5	16.13
			2,224,411.76	190,448.07	20	5	31.24	150	2	24.18
			2,228,411.76	190,448.07	20	7	41.19	150	2	21.73
	78	20.0	2,224,411.76	198,448.07	20	5	35.79	150	6	59.30
			2,219,411.76	198,448.07	20	2	53.34	150	7	2.27
			2,219,411.76	194,448.07	20	2	51.08	150	4	44.75
			2,224,411.76	194,448.07	20	5	33.53	150	4	41.74

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
	79	20.0	2,224,411.76	194,448.07	20	5	33.53	150	4	41.74
			2,219,411.76	194,448.07	20	2	51.08	150	4	44.75
			2,219,411.76	190,448.07	20	2	48.80	150	2	27.23
			2,224,411.76	190,448.07	20	5	31.24	150	2	24.18
	80	20.0	2,226,411.76	190,448.07	20	6	36.21	150	2	22.96
			2,221,411.76	190,448.07	20	3	53.77	150	2	26.01
			2,221,411.76	186,448.07	20	3	51.45	150	0	8.48
			2,226,411.76	186,448.07	20	6	33.89	150	0	5.39
	81	20.0	2,221,411.76	186,448.07	20	3	51.45	150	0	8.48
			2,221,411.76	190,448.07	20	3	53.77	150	2	26.01
			2,216,411.76	190,448.07	20	1	11.33	150	2	29.05
			2,216,411.76	186,448.07	20	1	9.02	150	0	11.56
	82	20.0	2,216,411.76	188,448.07	20	1	10.18	150	1	20.31
			2,216,411.76	193,448.07	20	1	13.05	150	4	12.17
			2,212,411.76	193,448.07	19	59	3.09	150	4	14.58
			2,212,411.76	188,448.07	19	59	0.23	150	1	22.75
	83	20.0	2,212,411.76	191,448.07	19	59	1.95	150	3	5.85
			2,212,411.76	196,448.07	19	59	4.79	150	5	57.68
			2,208,411.76	196,448.07	19	56	54.83	150	6	0.06
			2,208,411.76	191,448.07	19	56	51.99	150	3	8.27
	84	20.0	2,210,411.76	196,448.07	19	57	59.81	150	5	58.87
			2,210,411.76	200,448.07	19	58	2.04	150	8	16.33
			2,205,411.76	200,448.07	19	55	19.58	150	8	19.26
			2,205,411.76	196,448.07	19	55	17.35	150	6	1.84
KC-6A	85	20.0	2,264,502.63	154,090.52	20	26	51.04	149	41	6.46
			2,264,502.63	158,090.52	20	26	53.65	149	43	24.28
			2,259,502.63	158,090.52	20	24	11.27	149	43	27.72
			2,259,502.63	154,090.52	20	24	8.66	149	41	9.94
	86	20.0	2,265,502.63	150,090.52	20	27	20.87	149	38	47.93
			2,265,502.63	154,090.52	20	27	23.52	149	41	5.76
			2,260,502.63	154,090.52	20	24	41.14	149	41	9.24
			2,260,502.63	150,090.52	20	24	38.50	149	38	51.46
	87	20.0	2,265,502.63	146,090.52	20	27	18.20	149	36	30.11
			2,265,502.63	150,090.52	20	27	20.87	149	38	47.93
			2,260,502.63	150,090.52	20	24	38.50	149	38	51.46
			2,260,502.63	146,090.52	20	24	35.83	149	36	33.67
	88	20.0	2,259,502.63	154,090.52	20	24	8.66	149	41	9.94
			2,259,502.63	158,090.52	20	24	11.27	149	43	27.72
			2,254,502.63	158,090.52	20	21	28.88	149	43	31.16

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			2,254,502.63	154,090.52	20	21	26.28	149	41	13.41
	89	20.0	2,260,502.63	150,090.52	20	24	38.50	149	38	51.46
			2,260,502.63	154,090.52	20	24	41.14	149	41	9.24
			2,255,502.63	154,090.52	20	21	58.76	149	41	12.72
			2,255,502.63	150,090.52	20	21	56.13	149	38	54.97
	90	20.0	2,254,502.63	155,090.52	20	21	26.94	149	41	47.85
			2,254,502.63	160,090.52	20	21	30.17	149	44	40.03
			2,250,502.63	160,090.52	20	19	20.26	149	44	42.75
			2,250,502.63	155,090.52	20	19	17.03	149	41	50.61
	91	20.0	2,249,502.63	161,090.52	20	18	48.42	149	45	17.86
			2,249,502.63	165,090.52	20	18	50.96	149	47	35.58
			2,244,502.63	165,090.52	20	16	8.56	149	47	38.92
			2,244,502.63	161,090.52	20	16	6.03	149	45	21.25
	92	20.0	2,250,502.63	157,090.52	20	19	18.33	149	42	59.47
			2,250,502.63	161,090.52	20	19	20.90	149	45	17.18
			2,245,502.63	161,090.52	20	16	38.51	149	45	20.57
			2,245,502.63	157,090.52	20	16	35.94	149	43	2.89
	93	20.0	2,244,502.63	161,090.52	20	16	6.03	149	45	21.25
			2,244,502.63	166,090.52	20	16	9.19	149	48	13.34
			2,240,502.63	166,090.52	20	13	59.27	149	48	16.00
			2,240,502.63	161,090.52	20	13	56.11	149	45	23.95
	94	20.0	2,240,502.63	163,090.52	20	13	57.38	149	46	32.77
			2,240,502.63	167,090.52	20	13	59.90	149	48	50.42
			2,235,502.63	167,090.52	20	11	17.50	149	48	53.72
			2,235,502.63	163,090.52	20	11	14.99	149	46	36.11
	95	20.0	2,240,502.63	159,090.52	20	13	54.84	149	44	15.13
			2,240,502.63	163,090.52	20	13	57.38	149	46	32.77
			2,235,502.63	163,090.52	20	11	14.99	149	46	36.11
			2,235,502.63	159,090.52	20	11	12.45	149	44	18.51
	96	20.0	2,235,502.63	162,090.52	20	11	14.35	149	46	1.71
			2,235,502.63	166,090.52	20	11	16.87	149	48	19.32
			2,230,502.63	166,090.52	20	8	34.47	149	48	22.63
			2,230,502.63	162,090.52	20	8	31.96	149	46	5.06
<i>KC-6B</i>	97	20.0	2,240,837.94	135,415.91	20	13	50.04	149	30	40.35
			2,236,837.94	135,415.91	20	11	40.16	149	30	43.25
			2,236,837.94	130,415.91	20	11	36.72	149	27	51.29
			2,240,837.94	130,415.91	20	13	46.60	149	27	48.35
	98	20.0	2,236,837.94	140,415.91	20	11	43.55	149	33	35.22
			2,232,837.94	140,415.91	20	9	33.66	149	33	38.07

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			2,232,837.94	135,415.91	20	9	30.28	149	30	46.14
			2,236,837.94	135,415.91	20	11	40.16	149	30	43.25
	99	20.0	2,236,837.94	135,415.91	20	11	40.16	149	30	43.25
			2,232,837.94	135,415.91	20	9	30.28	149	30	46.14
			2,232,837.94	130,415.91	20	9	26.84	149	27	54.22
			2,236,837.94	130,415.91	20	11	36.72	149	27	51.29
	100	20.0	2,235,837.94	125,415.91	20	11	0.77	149	25	0.08
			2,235,837.94	130,415.91	20	11	4.25	149	27	52.02
			2,231,837.94	130,415.91	20	8	54.38	149	27	54.95
			2,231,837.94	125,415.91	20	8	50.90	149	25	3.05
	101	20.0	2,239,837.94	130,415.91	20	13	14.13	149	27	49.08
			2,235,837.94	130,415.91	20	11	4.25	149	27	52.02
			2,235,837.94	125,415.91	20	11	0.77	149	25	0.08
			2,239,837.94	125,415.91	20	13	10.64	149	24	57.10
KC-7A	102	20.0	1,860,507.34	422,870.23	16	49	35.55	152	16	33.85
			1,855,507.34	422,870.23	16	46	52.85	152	16	34.47
			1,855,507.34	418,870.23	16	46	52.36	152	14	19.35
			1,860,507.34	418,870.23	16	49	35.06	152	14	18.70
	103	20.0	1,863,507.34	424,870.23	16	51	13.40	152	17	41.06
			1,853,507.34	424,870.23	16	45	48.00	152	17	42.27
			1,853,507.34	422,870.23	16	45	47.76	152	16	34.71
			1,863,507.34	422,870.23	16	51	13.17	152	16	33.48
	104	20.0	1,864,507.34	426,870.23	16	51	46.17	152	18	48.53
			1,854,507.34	426,870.23	16	46	20.77	152	18	49.70
			1,854,507.34	424,870.23	16	46	20.54	152	17	42.15
			1,864,507.34	424,870.23	16	51	45.94	152	17	40.94
	105	20.0	1,865,507.34	428,870.23	16	52	18.94	152	19	56.00
			1,855,507.34	428,870.23	16	46	53.53	152	19	57.14
			1,855,507.34	426,870.23	16	46	53.31	152	18	49.58
			1,865,507.34	426,870.23	16	52	18.71	152	18	48.41
	106	20.0	1,855,507.34	430,870.23	16	46	53.75	152	21	4.70
			1,855,507.34	428,870.23	16	46	53.53	152	19	57.14
			1,865,507.34	428,870.23	16	52	18.94	152	19	56.00
			1,865,507.34	430,870.23	16	52	19.15	152	21	3.60
	107	20.0	1,866,507.34	430,870.23	16	52	51.69	152	21	3.48
			1,866,507.34	432,870.23	16	52	51.91	152	22	11.08
			1,856,507.34	432,870.23	16	47	26.50	152	22	12.16
			1,856,507.34	430,870.23	16	47	26.29	152	21	4.59
	108	20.0	1,870,507.34	426,870.23	16	55	1.42	152	18	47.82

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			1,870,507.34	430,870.23	16	55	1.86	152	21	3.04
			1,865,507.34	430,870.23	16	52	19.15	152	21	3.60
			1,865,507.34	426,870.23	16	52	18.71	152	18	48.41
KC-7B	109	20.0	1,900,688.97	390,610.03	17	11	18.30	151	58	16.78
			1,898,688.97	390,610.03	17	10	13.23	151	58	17.14
			1,898,688.97	380,610.03	17	10	11.42	151	52	38.69
			1,900,688.97	380,610.03	17	11	16.49	151	52	38.30
	110	20.0	1,901,688.97	380,610.03	17	11	49.03	151	52	38.10
			1,896,688.97	380,610.03	17	9	6.35	151	52	39.08
			1,896,688.97	376,610.03	17	9	5.59	151	50	23.71
			1,901,688.97	376,610.03	17	11	48.26	151	50	22.70
	111	20.0	1,899,688.97	376,610.03	17	10	43.19	151	50	23.11
			1,894,688.97	376,610.03	17	8	0.52	151	50	24.12
			1,894,688.97	372,610.03	17	7	59.73	151	48	8.77
			1,899,688.97	372,610.03	17	10	42.40	151	48	7.72
	112	20.0	1,894,688.97	374,610.03	17	8	0.12	151	49	16.44
			1,889,688.97	374,610.03	17	5	17.45	151	49	17.47
			1,889,688.97	370,610.03	17	5	16.65	151	47	2.15
			1,894,688.97	370,610.03	17	7	59.32	151	47	1.09
	113	20.0	1,889,688.97	371,610.03	17	5	16.85	151	47	35.98
			1,889,688.97	373,610.03	17	5	17.25	151	48	43.64
			1,879,688.97	373,610.03	16	59	51.90	151	48	45.69
			1,879,688.97	371,610.03	16	59	51.50	151	47	38.06
	114	20.0	1,887,688.97	373,610.03	17	4	12.18	151	48	44.05
			1,887,688.97	375,610.03	17	4	12.57	151	49	51.70
			1,877,688.97	375,610.03	16	58	47.22	151	49	53.72
			1,877,688.97	373,610.03	16	58	46.83	151	48	46.10
	115	20.0	1,877,688.97	373,610.03	16	58	46.83	151	48	46.10
			1,877,688.97	377,610.03	16	58	47.60	151	51	1.34
			1,872,688.97	377,610.03	16	56	4.92	151	51	2.33
			1,872,688.97	373,610.03	16	56	4.15	151	48	47.12
	116	20.0	1,872,688.97	375,610.03	16	56	4.54	151	49	54.73
			1,872,688.97	377,610.03	16	56	4.92	151	51	2.33
			1,862,688.97	377,610.03	16	50	39.56	151	51	4.30
			1,862,688.97	375,610.03	16	50	39.18	151	49	56.73
	117	20.0	1,869,688.97	375,610.03	16	54	26.93	151	49	55.33
			1,859,688.97	375,610.03	16	49	1.57	151	49	57.33
			1,859,688.97	373,610.03	16	49	1.19	151	48	49.76
			1,869,688.97	373,610.03	16	54	26.54	151	48	47.73

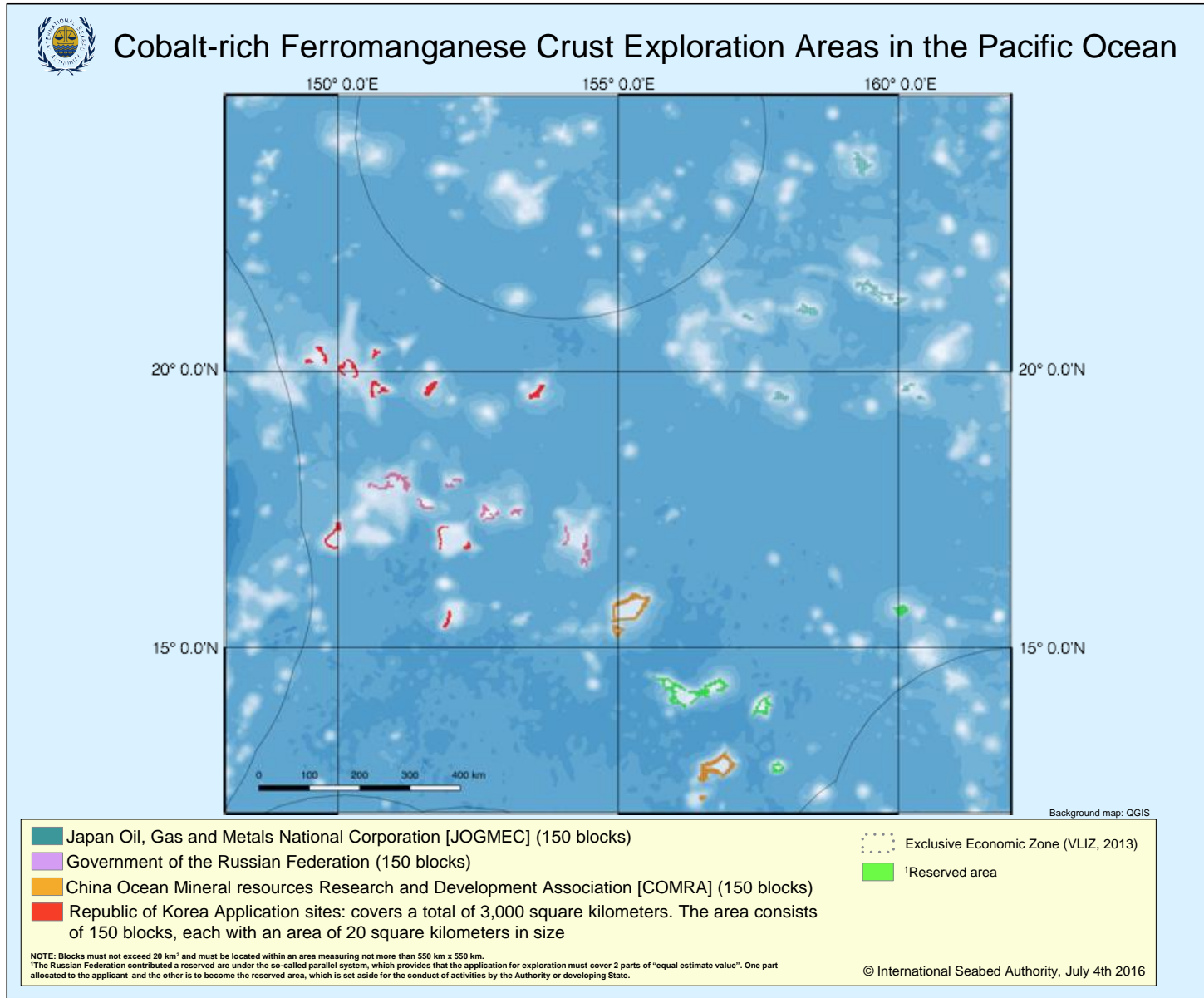
<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
	118	20.0	1,859,688.97	376,610.03	16	49	1.76	151	50	31.11
			1,854,688.97	376,610.03	16	46	19.08	151	50	32.09
			1,854,688.97	372,610.03	16	46	18.31	151	48	17.00
			1,859,688.97	372,610.03	16	49	0.99	151	48	15.98
KC-8	119	20.0	1,911,637.05	176,357.11	17	16	0.92	149	57	22.77
			1,911,637.05	186,357.11	17	16	5.97	150	3	0.99
			1,909,637.05	186,357.11	17	15	0.98	150	3	2.03
			1,909,637.05	176,357.11	17	14	55.93	149	57	23.83
	120	20.0	1,909,637.05	181,357.11	17	14	58.47	150	0	12.93
			1,909,637.05	185,357.11	17	15	0.48	150	2	28.21
			1,904,637.05	185,357.11	17	12	17.99	150	2	30.79
			1,904,637.05	181,357.11	17	12	15.99	150	0	15.55
	121	20.0	1,909,637.05	177,357.11	17	14	56.44	149	57	57.65
			1,909,637.05	181,357.11	17	14	58.47	150	0	12.93
			1,904,637.05	181,357.11	17	12	15.99	150	0	15.55
			1,904,637.05	177,357.11	17	12	13.96	149	58	0.30
	122	20.0	1,904,637.05	182,357.11	17	12	16.49	150	0	49.36
			1,904,637.05	186,357.11	17	12	18.48	150	3	4.61
			1,899,637.05	186,357.11	17	9	35.99	150	3	7.18
			1,899,637.05	182,357.11	17	9	34.00	150	0	51.96
	123	20.0	1,904,637.05	178,357.11	17	12	14.47	149	58	34.11
			1,904,637.05	182,357.11	17	12	16.49	150	0	49.36
			1,899,637.05	182,357.11	17	9	34.00	150	0	51.96
			1,899,637.05	178,357.11	17	9	31.99	149	58	36.75
	124	20.0	1,899,637.05	182,357.11	17	9	34.00	150	0	51.96
			1,899,637.05	186,357.11	17	9	35.99	150	3	7.18
			1,894,637.05	186,357.11	17	6	53.50	150	3	9.74
			1,894,637.05	182,357.11	17	6	51.52	150	0	54.56
	125	20.0	1,899,637.05	178,357.11	17	9	31.99	149	58	36.75
			1,899,637.05	182,357.11	17	9	34.00	150	0	51.96
			1,894,637.05	182,357.11	17	6	51.52	150	0	54.56
			1,894,637.05	178,357.11	17	6	49.51	149	58	39.38
	126	20.0	1,904,637.05	176,357.11	17	12	13.45	149	57	26.49
			1,904,637.05	178,357.11	17	12	14.47	149	58	34.11
			1,894,637.05	178,357.11	17	6	49.51	149	58	39.38
			1,894,637.05	176,357.11	17	6	48.50	149	57	31.79
	127	20.0	1,897,637.05	176,357.11	17	8	25.98	149	57	30.21
			1,892,637.05	176,357.11	17	5	43.50	149	57	32.85
			1,892,637.05	172,357.11	17	5	41.46	149	55	17.69
			1,897,637.05	172,357.11	17	8	23.94	149	55	15.02

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
	128	20.0	1,892,637.05	174,357.11	17	5	42.49	149	56	25.27
			1,887,637.05	170,357.11	17	2	57.96	149	54	12.80
			1,892,637.05	170,357.11	17	5	40.43	149	54	10.12
			1,887,637.05	174,357.11	17	3	0.01	149	56	27.92
	129	20.0	1,890,637.05	170,357.11	17	4	35.44	149	54	11.19
			1,885,637.05	170,357.11	17	1	52.97	149	54	13.87
			1,885,637.05	166,357.11	17	1	50.90	149	51	58.76
			1,890,637.05	166,357.11	17	4	33.36	149	51	56.05
	130	20.0	1,886,637.05	166,357.11	17	2	23.39	149	51	58.22
			1,882,637.05	166,357.11	17	0	13.42	149	52	0.39
			1,882,637.05	161,357.11	17	0	10.80	149	49	11.54
			1,886,637.05	161,357.11	17	2	20.77	149	49	9.34
	131	20.0	1,882,637.05	163,357.11	17	0	11.85	149	50	19.08
			1,877,637.05	163,357.11	16	57	29.39	149	50	21.80
			1,877,637.05	159,357.11	16	57	27.28	149	48	6.76
			1,882,637.05	159,357.11	17	0	9.74	149	48	4.00
	132	20.0	1,879,637.05	159,357.11	16	58	32.27	149	48	5.66
			1,874,637.05	159,357.11	16	55	49.81	149	48	8.41
			1,874,637.05	155,357.11	16	55	47.68	149	45	53.39
			1,879,637.05	155,357.11	16	58	30.13	149	45	50.60
	133	20.0	1,874,637.05	159,357.11	16	55	49.81	149	48	8.41
			1,869,637.05	159,357.11	16	53	7.35	149	48	11.15
			1,869,637.05	155,357.11	16	53	5.23	149	45	56.16
			1,874,637.05	155,357.11	16	55	47.68	149	45	53.39
	134	20.0	1,869,637.05	157,357.11	16	53	6.29	149	47	3.65
			1,869,637.05	161,357.11	16	53	8.40	149	49	18.64
			1,864,637.05	161,357.11	16	50	25.94	149	49	21.36
			1,864,637.05	157,357.11	16	50	23.83	149	47	6.40
	135	20.0	1,866,637.05	161,357.11	16	51	30.92	149	49	20.27
			1,866,637.05	165,357.11	16	51	33.00	149	51	35.25
			1,861,637.05	165,357.11	16	48	50.53	149	51	37.93
			1,861,637.05	161,357.11	16	48	48.46	149	49	22.99
	136	20.0	1,865,637.05	165,357.11	16	51	0.51	149	51	35.79
			1,865,637.05	169,357.11	16	51	2.56	149	53	50.76
			1,860,637.05	169,357.11	16	48	20.09	149	53	53.41
			1,860,637.05	165,357.11	16	48	18.04	149	51	38.47
	137	20.0	1,862,637.05	169,357.11	16	49	25.08	149	53	52.35
			1,862,637.05	173,357.11	16	49	27.11	149	56	7.31
			1,857,637.05	173,357.11	16	46	44.62	149	56	9.92
			1,857,637.05	169,357.11	16	46	42.60	149	53	54.99

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
	138	20.0	1,862,637.05	173,357.11	16	49	27.11	149	56	7.31
			1,862,637.05	177,357.11	16	49	29.11	149	58	22.28
			1,857,637.05	177,357.11	16	46	46.62	149	58	24.86
			1,857,637.05	173,357.11	16	46	44.62	149	56	9.92
	139	20.0	1,863,637.05	177,357.11	16	50	1.60	149	58	21.76
			1,863,637.05	181,357.11	16	50	3.58	150	0	36.74
			1,858,637.05	181,357.11	16	47	21.09	150	0	39.29
			1,858,637.05	177,357.11	16	47	19.12	149	58	24.34
KC-9	140	20.0	1,732,187.44	389,036.82	15	39	55.19	151	57	52.68
			1,732,187.44	394,036.82	15	39	55.97	152	0	40.62
			1,728,187.44	394,036.82	15	37	45.80	152	0	41.24
			1,728,187.44	389,036.82	15	37	45.03	151	57	53.34
	141	20.0	1,728,187.44	391,036.82	15	37	45.34	151	59	0.50
			1,728,187.44	395,036.82	15	37	45.95	152	1	14.82
			1,723,187.44	395,036.82	15	35	3.24	152	1	15.59
			1,723,187.44	391,036.82	15	35	2.63	151	59	1.30
	142	20.0	1,723,187.44	391,036.82	15	35	2.63	151	59	1.30
			1,723,187.44	395,036.82	15	35	3.24	152	1	15.59
			1,718,187.44	395,036.82	15	32	20.53	152	1	16.36
			1,718,187.44	391,036.82	15	32	19.92	151	59	2.10
	143	20.0	1,728,187.44	389,036.82	15	37	45.03	151	57	53.34
			1,728,187.44	391,036.82	15	37	45.34	151	59	0.50
			1,718,187.44	391,036.82	15	32	19.92	151	59	2.10
			1,718,187.44	389,036.82	15	32	19.61	151	57	54.97
	144	20.0	1,718,187.44	388,036.82	15	32	19.45	151	57	21.40
			1,718,187.44	392,036.82	15	32	20.08	151	59	35.66
			1,713,187.44	392,036.82	15	29	37.37	151	59	36.45
			1,713,187.44	388,036.82	15	29	36.75	151	57	22.22
	145	20.0	1,713,187.44	388,036.82	15	29	36.75	151	57	22.22
			1,713,187.44	392,036.82	15	29	37.37	151	59	36.45
			1,708,187.44	392,036.82	15	26	54.66	151	59	37.24
			1,708,187.44	388,036.82	15	26	54.04	151	57	23.03
	146	20.0	1,718,187.44	386,036.82	15	32	19.13	151	56	14.27
			1,718,187.44	388,036.82	15	32	19.45	151	57	21.40
			1,708,187.44	388,036.82	15	26	54.04	151	57	23.03
			1,708,187.44	386,036.82	15	26	53.72	151	56	15.93
	147	20.0	1,708,187.44	386,036.82	15	26	53.72	151	56	15.93
			1,708,187.44	390,036.82	15	26	54.35	151	58	30.14
			1,703,187.44	390,036.82	15	24	11.64	151	58	30.93

<i>Cluster</i>	<i>Block</i>	<i>AREA</i>	<i>Northing UTM Zone 56N</i>	<i>Easting UTM Zone 56N</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>	<i>Lat. N deg.</i>	<i>Lat. N min.</i>	<i>Lat. N sec.</i>
			1,703,187.44	386,036.82	15	24	11.01	151	56	16.76
	148	20.0	1,708,187.44	386,036.82	15	26	53.72	151	56	15.93
			1,703,187.44	386,036.82	15	24	11.01	151	56	16.76
			1,703,187.44	382,036.82	15	24	10.36	151	54	2.58
			1,708,187.44	382,036.82	15	26	53.07	151	54	1.73
	149	20.0	1,703,187.44	387,036.82	15	24	11.17	151	56	50.30
			1,698,187.44	387,036.82	15	21	28.46	151	56	51.12
			1,698,187.44	383,036.82	15	21	27.82	151	54	36.97
			1,703,187.44	383,036.82	15	24	10.52	151	54	36.13
	150	20.0	1,703,187.44	383,036.82	15	24	10.52	151	54	36.13
			1,698,187.44	383,036.82	15	21	27.82	151	54	36.97
			1,698,187.44	379,036.82	15	21	27.15	151	52	22.83
			1,703,187.44	379,036.82	15	24	9.86	151	52	21.95

Annex II





Council

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Twenty-second session
Kingston, 11-22 July 2016

Application for extension of the contract for exploration for polymetallic nodules between Interoceanmetal Joint Organization and the International Seabed Authority

Report and recommendation of the Legal and Technical Commission

The Legal and Technical Commission,

Recalling that, on 29 March 2001, Interoceanmetal Joint Organization entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 28 September 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of that contract from Interoceanmetal Joint Organization, pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Noting also that, on 2 October 2015, the Secretary-General notified the sponsoring States and members of the Authority and, on 7 October 2015, members of the Legal and Technical Commission, of the receipt of the application and placed consideration of the application on the agenda of the Commission for the twenty-second session of the Authority,

Recalling the provisions of section 1, paragraph 9, of the annex to the Agreement,

Recalling also the decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement,¹

Recalling further that the Commission is required to consider applications expeditiously and in the order in which they are received,

¹ ISBA/21/C/19.



Recalling that the Commission shall recommend approval of the application for extension of the contract for exploration if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control, has been unable to complete the necessary preparatory work for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having considered the application by Interoceanmetal Joint Organization during its meetings held from 22 February to 4 March and from 4 to 13 July 2016, in accordance with the procedures and criteria,

Noting that the applicant does not propose to relinquish any part of its exploration area,

Having requested the applicant to provide further data and information to supplement its application, and noting with appreciation that such data and information, including historical data, were duly supplied to the satisfaction of the Commission,

Having considered the grounds advanced by the applicant for requesting an extension of its contract and the information provided to establish that, for reasons beyond its control, it was unable to complete the preparatory work to proceed to the exploitation stage and that the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having concluded that the applicant has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond its control, has been unable to complete the preparatory work to proceed to exploitation,

1. *Recommends* that the Council of the International Seabed Authority approve the application for extension of the contract for exploration for polymetallic nodules between Interoceanmetal Joint Organization and the Authority for a period of five years from 29 March 2016;

2. *Requests* the Secretary-General of the International Seabed Authority to take the steps necessary to ensure that the proposed programme of activities for the extension period contained in the application is adjusted to take into account the issues raised in the questions asked by the Legal and Technical Commission, the responses given by the applicant and the issues raised during the deliberations of the Commission before the programme of activities is attached as annex I to the agreement to be drawn up between the Authority and Interoceanmetal Joint Organization concerning the extension of the contract for exploration for polymetallic nodules, in accordance with appendix II to the decision of the Council.¹

**Council**

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11 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Application for extension of the contract for exploration for polymetallic nodules between Yuzhmorgeologiya and the International Seabed Authority

Report and recommendation of the Legal and Technical Commission

The Legal and Technical Commission,

Recalling that, on 29 March 2001, Yuzhmorgeologiya entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 28 September 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of that contract from Yuzhmorgeologiya, pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Noting also that, on 9 October 2015, the Secretary-General notified the sponsoring State, members of the Authority and members of the Legal and Technical Commission of the receipt of the application and placed consideration of the application on the agenda of the Commission for the twenty-second session of the Authority,

Recalling the provisions of section 1, paragraph 9, of the annex to the Agreement,

Recalling also the decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement,¹

Recalling further that the Commission is required to consider applications expeditiously and in the order in which they are received,

¹ ISBA/21/C/19.



Recalling that the Commission shall recommend approval of the application for extension of the contract for exploration if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control, has been unable to complete the necessary preparatory work for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having considered the application by Yuzhmorgeologiya during its meetings held from 22 February to 4 March and from 4 to 13 July 2016, in accordance with the procedures and criteria,

Noting that the applicant does not propose to relinquish any part of its exploration area,

Having requested the applicant to provide further data and information to supplement the application, and noting with appreciation that such data and information, including historical data, were duly supplied to the satisfaction of the Commission,

Having considered the grounds advanced by the applicant for requesting an extension of its contract and the information provided to establish that, for reasons beyond its control, it was unable to complete the preparatory work to proceed to the exploitation stage,

Having concluded that the applicant has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond its control, has been unable to complete the preparatory work to proceed to exploitation,

1. *Recommends* that the Council of the International Seabed Authority approve the application for extension of the contract for exploration for polymetallic nodules between Yuzhmorgeologiya and the Authority for a period of five years from 29 March 2016;

2. *Requests* the Secretary-General of the International Seabed Authority to take the steps necessary to ensure that the proposed programme of activities for the extension period contained in the application is adjusted to take into account the issues raised in the questions asked by the Legal and Technical Commission, the responses given by the applicant and the issues raised during the deliberations of the Commission before the programme of activities is attached as annex I to the agreement to be drawn up between the Authority and Yuzhmorgeologiya concerning the extension of the contract for exploration for polymetallic nodules, in accordance with appendix II to the decision of the Council.¹



Council

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Twenty-second session
Kingston, 11-22 July 2016

Application for extension of the contract for exploration for polymetallic nodules between the Government of the Republic of Korea and the International Seabed Authority

Report and recommendation of the Legal and Technical Commission

The Legal and Technical Commission,

Recalling that, on 27 April 2001, the Government of the Republic of Korea entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 20 October 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of that contract from the Government of the Republic of Korea, pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Noting also that, on 21 October 2015, the Secretary-General notified the members of the Authority and, on 22 October 2015, members of the Legal and Technical Commission, of the receipt of the application and placed consideration of the application on the agenda of the Commission for the twenty-second session of the Authority,

Recalling the provisions of section 1, paragraph 9, of the annex to the Agreement,

Recalling also the decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement,¹

Recalling further that the Commission is required to consider applications expeditiously and in the order in which they are received,

¹ ISBA/21/C/19.



Recalling that the Commission shall recommend approval of the application for extension of the contract for exploration if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control, has been unable to complete the preparatory work necessary for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having considered the application by the Government of the Republic of Korea during its meetings held from 22 February to 4 March and from 4 to 13 July 2016, in accordance with the procedures and criteria,

Noting that the applicant does not propose to relinquish any part of its exploration area,

Having requested the applicant to provide further data and information to supplement its application, and noting with appreciation that such data and information, including historical data, were duly supplied to the satisfaction of the Commission,

Having considered the grounds advanced by the applicant for requesting an extension of its contract and the information provided to establish that, for reasons beyond its control, it was unable to complete the preparatory work to proceed to the exploitation stage and that the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having concluded that the applicant has made efforts in good faith to comply with the requirements of the Contract for exploration but, for reasons beyond its control, has been unable to complete the preparatory work to proceed to exploitation,

1. *Recommends* that the Council of the International Seabed Authority approve the application for extension of the contract for exploration for polymetallic nodules between the Government of the Republic of Korea and the International Seabed Authority for a period of five years from 27 April 2016;

2. *Requests* the Secretary-General of the International Seabed Authority to take the steps necessary to ensure that the proposed programme of activities for the extension period contained in the application is adjusted to take into account the issues raised in the questions asked by the Legal and Technical Commission, the responses given by the applicant and the issues raised during the deliberations of the Commission before the programme of activities is attached as annex I to the agreement to be drawn up between the Authority and Government of the Republic of Korea concerning the extension of the contract for exploration for polymetallic nodules, in accordance with appendix II to the decision of the Council.¹

**Council**

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Original: English

Twenty-second session
Kingston, 11-22 July 2016

Application for extension of the contract for exploration for polymetallic nodules between the China Ocean Mineral Resources Research and Development Association and the International Seabed Authority

Report and recommendation of the Legal and Technical Commission

The Legal and Technical Commission,

Recalling that, on 22 May 2001, the China Ocean Mineral Resources Research and Development Association entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 19 November 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of that contract from the Association, pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Noting also that, on 23 November 2015, the Secretary-General notified the sponsoring State, on 30 November 2015, members of the Authority, and, on 1 December 2015, members of the Legal and Technical Commission, of the receipt of the application and placed consideration of the application on the agenda of the Commission for the twenty-second session of the Authority,

Recalling the provisions of section 1, paragraph 9, of the annex to the Agreement,

Recalling also the decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement,¹

Recalling further that the Commission is required to consider applications expeditiously and in the order in which they are received,

¹ ISBA/21/C/19.



Recalling that the Commission shall recommend approval of the application for extension of the contract for exploration if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control, has been unable to complete the preparatory work necessary for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having considered the application by the Association during its meetings held from 22 February to 4 March and from 4 to 13 July 2016, in accordance with the procedures and criteria,

Noting that the applicant does not propose to relinquish any part of its exploration area,

Having requested the applicant to provide further data and information to supplement its application, and noting with appreciation that such data and information, including historical data, were duly supplied to the satisfaction of the Commission,

Having considered the grounds advanced by the applicant for requesting an extension of its contract and the information provided to establish that, for reasons beyond its control, it was unable to complete the preparatory work to proceed to the exploitation stage and that the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having concluded that the applicant has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond its control, has been unable to complete the preparatory work to proceed to exploitation,

1. *Recommends* that the Council of the International Seabed Authority approve the application for extension of the contract for exploration for polymetallic nodules between the China Ocean Mineral Resources Research and Development Association and the Authority for a period of five years from 22 May 2016;

2. *Requests* the Secretary-General of the International Seabed Authority to take the steps necessary to ensure that the proposed programme of activities for the extension period contained in the application is adjusted to take into account the issues raised in the questions asked by the Legal and Technical Commission, the responses given by the applicant and the issues raised during the deliberations of the Commission before the programme of activities is attached as annex I to the agreement to be drawn up between the Authority and the Association concerning the extension of the contract for exploration for polymetallic nodules, in accordance with appendix II to the decision of the Council.¹

**Council**

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Twenty-second session
Kingston, 11-22 July 2016

Application for extension of the contract for exploration for polymetallic nodules between Deep Ocean Resources Development Co. Ltd. and the International Seabed Authority

Report and recommendation of the Legal and Technical Commission

The Legal and Technical Commission,

Recalling that, on 20 June 2001, Deep Ocean Resources Development Co. Ltd. entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 3 December 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of that contract from Deep Ocean Resources Development Co. Ltd., pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Noting also that, on 4 December 2015, the Secretary-General notified the sponsoring State and members of the Authority and, on 9 December, members of the Legal and Technical Commission, of the receipt of the application and placed consideration of the application on the agenda of the Commission for the twenty-second session of the Authority,

Recalling the provisions of section 1, paragraph 9, of the annex to the Agreement,

Recalling also the decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement,¹

Recalling further that the Commission is required to consider applications expeditiously and in the order in which they are received,

¹ ISBA/21/C/19.



Recalling that the Commission shall recommend approval of the application for extension of the contract for exploration if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control, has been unable to complete the preparatory work necessary for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having considered the application by Deep Ocean Resources Development Co. Ltd. during its meetings held from 22 February to 4 March and from 4 to 13 July 2016, in accordance with the procedures and criteria,

Noting that the applicant does not propose to relinquish any part of its exploration area,

Having requested the applicant to provide further data and information to supplement the application and noting with appreciation that such data and information, including historical data, were duly supplied to the satisfaction of the Commission,

Having considered the grounds advanced by the applicant for requesting an extension of its contract and the information provided to establish that, for reasons beyond its control, it was unable to complete the preparatory work to proceed to the exploitation stage and that the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having concluded that the applicant has made efforts in good faith to comply with the requirements of the Contract for exploration but, for reasons beyond its control, has been unable to complete the preparatory work to proceed to exploitation,

1. *Recommends* that the Council of the International Seabed Authority approve the application for extension of the contract for exploration for polymetallic nodules between Deep Ocean Resources Development Co. Ltd. and the Authority for a period of five years from 20 June 2016;

2. *Requests* the Secretary-General of the International Seabed Authority to take the steps necessary to ensure that the proposed programme of activities for the extension period contained in the application is adjusted to take into account the issues raised in the questions asked by the Legal and Technical Commission, the responses given by the applicant and the issues raised during the deliberations of the Commission before the programme of activities is attached as annex I to the agreement to be drawn up between the Authority and Deep Ocean Resources Development Co. Ltd. concerning the extension of the contract for exploration for polymetallic nodules, in accordance with appendix II to the decision of the Council.¹



Council

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11 July 2016

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Twenty-second session
Kingston, 11-22 July 2016

Application for extension of the contract for exploration for polymetallic nodules between the Institut français de recherche pour l'exploitation de la mer and the International Seabed Authority

Report and recommendation of the Legal and Technical Commission

The Legal and Technical Commission,

Recalling that, on 20 June 2001, the Institut français de recherche pour l'exploitation de la mer entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 16 December 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of that contract from the Institut français de recherche pour l'exploitation de la mer, pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,

Noting also that, on 4 January 2016, the Secretary-General notified the sponsoring State and members of the Authority and, on 6 January 2016, members of the Legal and Technical Commission, of the receipt of the application and placed consideration of the application on the agenda of the Commission for the twenty-second session of the Authority,

Recalling the provisions of section 1, paragraph 9, of the annex to the Agreement,

Recalling also the decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement,¹

Recalling further that the Commission is required to consider applications expeditiously and in the order in which they are received,

¹ ISBA/21/C/19.



Recalling that the Commission shall recommend approval of the application for extension of the contract for exploration if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control, has been unable to complete the preparatory work necessary for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having considered the application by the Institut français de recherche pour l'exploitation de la mer during its meetings held from 22 February to 4 March and from 4 to 13 July 2016, in accordance with the procedures and criteria,

Noting that the applicant does not propose to relinquish any part of its exploration area,

Having requested the applicant to provide further data and information to supplement its application, and noting with appreciation that such data and information, including historical data, were duly supplied to the satisfaction of the Commission,

Having considered the grounds advanced by the applicant for requesting an extension of its contract and the information provided to establish that, for reasons beyond its control, it was unable to complete the preparatory work to proceed to the exploitation stage and that the prevailing economic circumstances do not justify proceeding to the exploitation stage,

Having concluded that the applicant has made efforts in good faith to comply with the requirements of the said contract but, for reasons beyond its control, has been unable to complete the preparatory work to proceed to exploitation,

1. *Recommends* that the Council of the International Seabed Authority approve the application for extension of the contract for exploration for polymetallic nodules between the Institut français de recherche pour l'exploitation de la mer and the Authority for a period of five years from 20 June 2016;

2. *Requests* the Secretary-General of the International Seabed Authority to take the steps necessary to ensure that the proposed programme of activities for the extension period contained in the application is adjusted to take into account the issues raised in the questions asked by the Legal and Technical Commission, the responses given by the applicant and the issues raised during the deliberations of the Commission before the programme of activities is attached as annex I to the agreement to be drawn up between the Authority and the Institut français de recherche pour l'exploitation de la mer concerning the extension for polymetallic nodules of the contract for exploration, in accordance with appendix II to the decision of the Council.¹



Council

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13 July 2016

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Twenty-second session
Kingston, 11-22 July 2016

Report of the Chair of the Legal and Technical Commission on the work of the Commission at its session in 2016

I. Introduction

1. The session of the Legal and Technical Commission was held from 22 February to 4 March and from 4 to 13 July 2016.
2. On 22 February, the Commission adopted its agenda ([ISBA/22/LTC/1](#)) and elected Christian Reichert as Chair and Elva Escobar as Vice-Chair.
3. The following members of the Commission participated in the session: Adesina Adegbe, David Billett, Harald Brekke, Winifred Broadbelt, Georgy Cherkashov, Elva Escobar, Montserrat González Carrillo, Russell Howorth, Kiseong Hyeong, Elie Jarmache, Carlos Roberto Leite, Eusebio Lopera, Pedro Madureira, Hussein Mubarak, Théophile Ndougsa Mbarga, Juan Pablo Paniego, Andrzej Przybycin, Christian Reichert, Marzia Rovere, Maruthadu Sudhakar, Michelle Walker and Haiqi Zhang. Farhan M.S. al-Farhan was unable to attend. Natsumi Kamiya attended the first part of the session and resigned before the meetings in July. Following previous practice, Nobuyuki Okamoto participated in the meetings before his election by the Council on 12 July. The high level of attendance of members was noted.

II. Activities of contractors

A. Status of contracts for exploration

4. The secretariat provided the Commission with information on the status of contracts issued by the International Seabed Authority pertaining to exploration for polymetallic nodules, polymetallic sulphides and cobalt-rich ferromanganese crusts ([ISBA/22/LTC/5](#)). The Commission took note of the report.



B. Implementation of training programmes under contracts for exploration and allocation of training opportunities

5. The Commission, having been informed that 18 training places would be provided by the contractors individually in accordance with their respective exploration contracts with the Authority, selected the candidates. In February, the Commission selected candidates for training places provided by Global Sea Mineral Resources NV, China Ocean Mineral Resources Research and Development Association and Japan Oil, Gas and Metals National Corporation and agreed to apply its streamlined process for selection in order to enable it to select candidates for the training opportunities to be provided in June by the Institut français de recherche pour l'exploitation de la mer. Details on the selections can be found in documents [ISBA/22/LTC/7](#), [ISBA/22/LTC/8](#) and [ISBA/22/LTC/11](#). The training places are as follows:

(a) Two internships at a workshop by Nauru Ocean Resources Incorporated, in December 2015;

(b) One two-year master's programme by Global Sea Mineral Resources NV, beginning in September 2016;

(c) Five at-sea training places by China Ocean Mineral Resources Research and Development Association, between September and November 2016;

(d) Five at-sea training places by Japan Oil, Gas and Metals National Corporation, between May and June 2016;

(e) Five internships at a workshop by the Institut français de recherche pour l'exploitation de la mer, between June and July 2016.

6. The Commission also had before it a preliminary analysis of the status of implementation of the training programmes provided by the contractors from 2013 to date, together with proposed training opportunities from 2016 to 2020 under new, continuing and extended exploration contracts. The Commission expressed its appreciation to the contractors for their valuable commitment in bringing about a substantial increase in the number of training places over the coming five years, including as part of the programme of activities under the six extended contracts for exploration for polymetallic nodules, noting that the number might reach 200. The opportunities included ship attachments, laboratory attachments and participation in workshops and courses that were both broad in scope and covered specific technical disciplines, environmental assessment and technology development. The Commission encouraged developing member States to take advantage of the opportunities. It requested the secretariat to continue its analysis of the implementation of the training programmes since 2013 and forthcoming training opportunities until 2020 and to provide a detailed report, including on the benefits for sponsoring States and trainees arising from those opportunities, for consideration at its next session.

7. The Commission noted with satisfaction that, to manage the substantial increase in workload relating to the training programmes, a position in the secretariat focused on training had been included in the next proposed budget of the Authority.

8. In the light of the increasing number of training opportunities, the Commission decided to revise the recommendations for the guidance of contractors and sponsoring States relating to training programmes under plans of work for exploration (ISBA/19/LTC/14). In July, it established a working group to make suggestions in that regard, but, owing to time constraints, deferred the revision for consideration at its next session.

C. Applications for extension of approved plans of work for exploration

9. Six applications for extension, for a five-year period, of approved plans of work for exploration were placed on the agenda of the Commission (see ISBA/22/LTC/2). They were submitted as follows: Interoceanmetal Joint Organization (28 September 2015); Yuzhmoregeologiya (28 September 2015); the Government of the Republic of Korea (20 October 2015); China Ocean Mineral Resources Research and Development Association (19 November 2015); Deep Ocean Resources Development Co. Ltd. (3 December 2015); and the Institut français de recherche pour l'exploitation de la mer (16 December 2015). The Commission was informed that all applicants had paid the required processing fee of \$67,000 and noted that no applicant had proposed relinquishing any part of its exploration area and that no sponsoring State or States had renounced sponsorship.

10. The Commission considered the applications expeditiously and in the order of receipt, in accordance with paragraphs 8 and 13 of the procedures and criteria set out in the decision of the Council relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (ISBA/21/C/19). The Commission observed that that had been the first time that such applications had been placed before it for consideration and the procedures and criteria implemented. At the request of the Commission, the secretariat presented a note to clarify the status of the former registered pioneer investors (see annex I to the present report).

11. The Commission divided itself into three working groups to review the geological and technological aspects, the environmental and training aspects and the legal and financial aspects of the applications.

12. Following extensive deliberations, the Commission requested each applicant to provide additional data and information, including historical data, through a set of specific questions transmitted on 4 March. The questions were related to the submission of financial, technical and scientific data and information and further details on proposed environmental sampling, training programmes and mining technology developments. As at 13 June, all the applicants had provided responses, which were submitted to the Commission for review in July.

13. In July, the Commission noted with appreciation that all the requested data and information, including historical data, had been duly supplied by the applicants. The Commission recalled that, pursuant to paragraph 12 of the procedures and criteria, if it considered that the contractor had made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control (such as technical feasibility conditions connected with the development of polymetallic nodules mining technology), it had been unable to complete the

preparatory work necessary for proceeding to the exploitation stage, or if the prevailing economic circumstances (such as those encountered in the global markets and low metal prices) did not justify proceeding to the exploitation stage, then it was to recommend the approval of the applications.

14. The Commission noted the following general outcomes while considering the applications:

(a) The opportunity to gather historical data from the contractors had proved very successful and the data would be entered into the database by the secretariat in due course;

(b) The six contractors had offered training opportunities in line with the recommendations for the guidance of contractors and sponsoring States relating to training programmes under plans of work for exploration issued by the Commission in 2014 ([ISBA/19/LTC/14](#));

(c) As part of the survey work, nine cruises would be carried out by the six contractors during the extension period;

(d) The six contractors had each indicated that there would be an emphasis on environmental baseline data collection, in particular biological data, during the extension period;

(e) Contractors had noted that carrying out test mining and mineral processing would involve significant expenditure, and most had expressed a willingness to carry out that work collaboratively to reduce the costs and risks.

15. Having concluded that the information provided by the applicants was sufficient, in line with the above-mentioned procedures and criteria, the Commission recommended that the Council should approve the six applications.

16. The Commission also recommended that the applicants should be ready to proceed to exploitation at the end of the five-year extension period.

17. The Commission noted that the six contracts for exploration for which an extension had been requested had expired and that agreements to be drawn up concerning their extension (see [ISBA/21/C/19](#), appendix II) would come into effect from the day after the date of expiry of each contract.

18. The recommendations of the Commission on each of the applications are contained in documents [ISBA/22/C/11-16](#).

D. Annual reports of contractors

19. In July, the Commission considered 22 annual reports on activities carried out by contractors in 2015 and noted the high quality of reporting. Of the reports, 14 were related to exploration for polymetallic nodules, 5 to exploration for polymetallic sulphides and 3 to exploration for cobalt-rich ferromanganese crusts. Following its previous practice, the Commission divided itself into three working groups to review the geological and technological aspects, the environmental and training aspects and the legal and financial aspects of the applications. In addition to specific comments on each report to be conveyed to the contractor concerned by the Secretary-General of the International Seabed Authority, the Commission made the following general comments:

(a) The Commission expressed support for and encouraged the emerging trend of collaboration between contractors. That positive development would be even more valuable as the Authority moved into the phase of developing regulations on exploitation of mineral resources in the Area;

(b) The Commission recalled the requirement to submit annual reports in due time (see annex IV, sect. 10.1, of the three sets of regulations on prospecting and exploration) with a duly certified financial statement that was in line with the format recommended in the recommendations for the guidance of contractors for the reporting of actual and direct exploration expenditure (ISBA/21/LTC/11, annex). In that context, the Commission once again called upon the contractors to fulfil their contractual obligations, as agreed upon in their contracts and further specified in the standard clauses, noting that regulations and the contract were not optional and must be complied with;

(c) The Commission, noting that 14 contractors had used the reporting templates and recommendations on classification of resources contained in document ISBA/21/LTC/15, urged all contractors to apply those templates to future reports;

(d) The Commission noted with satisfaction that, in the evaluation of the environmental baseline study, the criteria listed in its recommendations (ISBA/21/LTC/15) had been applied. Furthermore, there had been significant advances in the reporting of environmental baseline data and mineral resources by most contractors, including the use of the following: molecular genetic data for studies on the distribution and connectivity of species across the Clarion-Clipperton Fracture Zone; autonomous underwater vehicles for high-resolution (metre-scale) bathymetric mapping; remotely operated vehicles for precision sampling; video and sea-floor reflectivity mosaicking for habitat and mineral mapping; and sediment trap sampling for geographical and temporal change in particle export to the sea-floor;

(e) All contractors were encouraged to adopt best environmental practices and best available technologies, as detailed in the recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area (ISBA/19/LTC/8), and to report environmental data in full in 2017;

(f) To generate a regional environmental management plan, the Authority needed all contractors to collect samples consistently and to fully report their data, including metadata. Significant progress had been made in the submission of data to the Authority as part of applications for contract extensions. Other contractors had also made substantial data contributions;

(g) Where contractors advised a change in the recommendations, that advice should be supported by empirical evidence. If the changes were accepted, the Commission would update the Authority's recommendations (such as on the mesh sizes to be used for studying the infauna of the seabed). With reference to sieve sizes for benthic infauna, contractors were encouraged to set up an intercalibration study to advise the Commission;

(h) Biogeographic mapping of the species in the Clarion-Clipperton Fracture Zone posed a major challenge, but was required for the creation of a regional environmental management plan. Progress in taxonomic classification to the species level was being pursued by many contractors following the Authority's workshops on standardization of taxonomy and sampling methods, but the overall picture remained patchy. Contractors were encouraged to continue to work together to achieve a consistent taxonomy for the Zone.

E. Periodic reviews of implementation of plans of work for exploration

20. The three sets of regulations provide a mechanism whereby contractors can adjust their programmes of activities at five-year intervals. This is done through a periodic review process undertaken jointly between the contractor and the Secretary-General, not later than 90 days before the expiration of each five-year period from the date of entry into force of the contract. The Commission was informed that, in 2016, periodic reviews were due to be undertaken in respect of two exploration contracts for polymetallic nodules. The Commission took note of the status report on the review and the information submitted by the Federal Institute for Geosciences and Natural Resources of Germany and Nauru Ocean Resources Inc. with regard to the implementation of their programmes of activities for the second five-year period expiring on 19 July 2016 for the former, and for the first five-year period expiring on 22 July 2016 for the latter, and with regard to their proposed programmes for the coming five years ([ISBA/22/LTC/14](#)).

21. The Commission welcomed the first submission of an environmental inception report, which gave advance notice of the intention to carry out an environmental impact assessment of a proposed testing of elements of mining equipment in a contractor's area in the near future. The Commission encouraged other contractors to conduct similar tests.

III. Application for approval of a plan of work for exploration for cobalt-rich ferromanganese crusts by the Government of the Republic of Korea

22. On 10 May, the Secretary-General received an application for approval of a plan of work for exploration for cobalt-rich ferromanganese crusts from the Government of the Republic of Korea. The area under application is located to the east of the Northern Mariana Islands. The Secretary-General notified the members of the Authority and the members of the Commission of the receipt of the application and placed consideration of the application on the agenda of the Commission in July. The Commission considered the application in closed meetings held on 5, 8 and 11 July. After the presentation of the application, the Commission submitted a list of questions to the applicant. The Commission considered the responses received and adopted its report and recommendations to the Council ([ISBA/22/C/10](#)).

IV. Environmental matters

A. Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area

23. In February, the Commission had before it a summary of the recommendations arising from three workshops on taxonomic standardization of benthic fauna inhabiting the Clarion-Clipperton Fracture Zone. The recommendations constituted expert advice from taxonomists in order to improve the recommendations for the

guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area (ISBA/19/LTC/8). They covered such topics as best practices, biological cruises and sampling, onboard treatment of samples, subcoring, molecular samples, taxonomic resolution, analytical requirements, storage requirements, contractor collaboration, publishing, workshops, an expert panel, capacity-building and protocols and regulations.

24. The Commission welcomed the recommendations and encouraged the contractors to apply best practices to implement them wherever appropriate. The Commission deferred the revision of the recommendations to its next session.

B. Review of the implementation of the environmental management plan for the Clarion-Clipperton Fracture Zone and issues relating to the development of other environmental management plans in the Area

25. The environmental management plan for the Clarion-Clipperton Fracture Zone (ISBA/17/LTC/7) is the first, and to date only, environmental management plan created by the Authority. It was approved by the Council at its eighteenth session and implemented over an initial period of three years (see ISBA/18/C/22). The plan included the designation of a network of nine areas of particular environmental interest based on the best existing knowledge of the Zone at the time. The plan was to be subject to periodic external review by the Commission every two to five years.

26. In February, the Commission was provided with terms of reference for a possible workshop on impact reference zones and preservation reference zones. It recalled that the review of the environmental management plan due to be submitted to the Council in 2016 required an in-depth analysis of the status of the elements of the plan, including the number and location of areas of particular environmental interest and the data collected in those areas since the establishment of the plan. The Commission requested the secretariat to prepare a detailed report for review in July.

27. In July, the Commission considered the report (ISBA/22/LTC/12), in which the progress made in the implementation of the plan and the steps to be taken until 2021 were recalled. In its deliberations, the Commission noted the suggested creation of two additional areas of particular environmental interest, as indicated on a map, and recommended that the proposed eleventh area should be shifted further north, directly east of the UK Seabed Resources Ltd. exploration area. The rationale behind the creation of the new areas was based on recent work by contractors, most notably using molecular genetic methods, which indicated that species ranges in the Zone might span a few hundred kilometres. The Commission also pointed out a need for cross-sectoral planning of areas, such as with areas closed to fishing on seamounts.

28. To determine the suitability or need for amendment of the areas of particular environmental interest, the Commission decided to consider holding a scientific workshop together with marine reserve/management specialists to review the data. The participants should define the size, location and number of such areas in order to enable the Commission to make a recommendation to the Council.

29. The Commission was informed that the measures recommended in the environmental management plan had been implemented in part and that the measures

would have a greater impact were sustained, focused action by contractors considered in the coming years. That potential growth based on better environmental and biodiversity knowledge would contribute to assessing the role of areas of particular environmental interest with regard to conservation in the Area. Exploring the input from independent data and stakeholder participation would allow the secretariat to be in a position to better assess expanding the areas. The need to work in coordination with other international organizations (the secretariat of the Convention on Biological Diversity, the Food and Agriculture Organization of the United Nations and the International Union for Conservation of Nature) was recognized, and it was noted that that would help the work on the scientific design of the areas.

30. The Commission took note of the concerns expressed with regard to developing specific guidelines for contractors to use in the establishment of impact reference zones and preservation reference zones that were needed during the exploration phase to proceed to exploitation. The Commission indicated that there was a need to redefine the term “impact reference zones” at its next session, in February 2017. A workshop might then be organized by the secretariat to help to develop specific guidelines for contractors in the establishment of impact and preservation reference zones.

C. Outcomes of the international workshop on taxonomic methods and standardization of meiofauna in the Clarion-Clipperton Fracture Zone, held in Ghent, Belgium, from 14 to 17 December 2015

31. In February, the Commission had before it a status report on the outcomes of the international workshop on taxonomic methods and standardization of meiofauna in the Clarion-Clipperton Fracture Zone, held in Ghent, Belgium, from 14 to 17 December 2015. The Commission concluded that the recommendations arising from that and other related workshops were relevant to its review of its existing recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area ([ISBA/19/LTC/8](#)) in order to keep abreast of latest scientific developments, including in terms of taxonomic methods and standardization. The Commission suggested that revisions should be included in the workplan of its next session.

V. Draft regulations for exploitation of mineral resources in the Area

32. In 2015, the Commission proposed a list of seven priority deliverables that the Council endorsed (see [ISBA/21/C/16](#), annex III). It included, as priority deliverable No. 1, the preparation of a zero draft of regulations for exploitation of mineral resources in the Area. In February, the Commission began to review a report prepared by the secretariat and external consultants containing a working draft of those regulations, including a suggestion for the development of separate environmental regulations and regulations relating to setting up a mining directorate or inspectorate. The Commission also had before it technical discussion papers relating to specific areas of regulatory development, including confidentiality, dispute settlement and a stakeholder participation and communications strategy. The papers were submitted in response to actions proposed by the Commission in that field.

33. The Commission noted with appreciation, and in relation to priority deliverable No. 5 concerning adaptive management, a paper prepared by the Government of New Zealand on the country's experiences with adaptive management in seabed mining projects. The Commission suggested that the content of that paper should be reflected in the Authority's discussions on the role of adaptive management in the environmental regulations.

34. The Commission had planned, following its review, to circulate a copy of the working draft of the exploitation regulations to all members of the Authority and all stakeholders in March for their comments. Owing to its excessive workload, however, the Commission did not complete its review and deferred the matter until July.

35. In July, the Commission considered a supplementary report and a revised working draft of the exploitation regulations. It reviewed the structure and general approach of the revised working draft and discussed specific regulations. It noted that the revised working draft reflected further input from the technical discussion papers and had benefited from two further workshops held in May in connection with the development of a payment mechanism and financial terms for contracts for exploitation and in connection with environmental assessment and management.

36. The Commission took note of the report of the Co-Chairs of the workshop on environmental assessment and management for exploitation of minerals in the Area, organized by the Griffith Law School and the Authority in Surfers Paradise, Queensland, Australia, from 23 to 26 May,¹ and the list of recommended actions flowing from that workshop, elements of which had been incorporated into an action plan (see annex II to the present report). The Commission expressed its appreciation to the Government of Australia for the commitment that it had showed in sponsoring the workshop, to the Griffith Law School for its contribution in planning the workshop and facilitating its outcomes and to all the participants who contributed their time and expertise. The Commission considered that the workshop had made significant progress by providing the Authority with a clearer direction in formulating a regulatory framework for environmental assessment and management.

37. The Commission welcomed the initiative to develop a payment mechanism in the Area and noted the challenges and complexities in doing so. It welcomed a wider discussion of environmental policies and approaches and related financial incentives and tools that must be considered in developing a total package. It noted the proposed points for future consideration in the report of the workshop on a deep seabed mining payment regime, held in San Diego, California, United States of America, on 17 and 18 May 2016,² and called for them to be addressed at a subsequent workshop.

38. The Commission noted the challenges in developing a full regulatory framework, considering the "building block" approach being taken by the Authority to tackle it the best approach. It reiterated, however, the proviso that no single element or package of the regulatory code would be agreed upon until everything had been agreed upon.

39. The Commission concluded that the working draft, once discussed by the Commission, should be circulated to stakeholders at the earliest available

¹ Available from www.isa.org.jm/files/documents/EN/Pubs/2016/GLS-ISA-Rep.pdf.

² Available from www.isa.org.jm/files/documents/EN/Pubs/2016/DSM-ConfRep.pdf.

opportunity for their comments. It noted that the draft should be considered a work in progress because several areas required further feedback, discussion and expert input. Following the receipt of comments, a new working draft, together with stakeholder feedback, would be submitted to the Commission in February 2017.

40. The Commission observed that there was a need to identify a better working methodology in relation to regulatory development, including timelines and stakeholder contribution in the regulatory content and drafting process, considering it a matter of priority for its next session.

41. Following its deliberations on the working draft, the Commission reviewed suggested areas of action towards regulatory development, including the second phase of work on the priority deliverables and actions flowing from the high-level issues and action plan submitted to the Council in July 2015. An updated and indicative work programme is provided in annex II to the present report for consideration by the Council.

VI. Technical implementation plan for improved databases and data management strategy of the Authority

42. In February, the Commission established a working group to assist its consideration of the data management strategy and related issues. The Commission considered the data management project prepared by the secretariat to develop and strengthen the data management capacity of the Authority (see [ISBA/22/LTC/15](#)).

43. The Commission expressed strong support for the project, noting that it would begin on 1 January 2017, at the same time as the next budget cycle, and urged the Finance Committee to ensure the availability of adequate resources, including for the two proposed staff positions.

44. For the second half of 2016, the Commission encouraged the secretariat to work on incorporating into the existing databases the data submitted by the contractors during the extension process and those contained in the annual reports of the contractors for activities carried out in 2015. At the same time, the secretariat should begin the preparatory work for the new data management project.

45. The Commission recalled its strong position in recent years in advocating a data management facility at the Authority that was fit for purpose.

46. The Chair of the Commission reported to the Finance Committee on the matter in order to facilitate the consideration of the next budget.

VII. Matters referred to the Commission by the Council

A. Issues relating to the handling of confidential data and information, as provided for in rule 12 of the rules of procedure of the Commission

47. By paragraph 8 of its decision [ISBA/20/C/31](#), the Council requested the Commission to prepare draft procedures on the handling of confidential data and information, as provided for in rule 12 of the rules of procedure of the Commission ([ISBA/6/C/9](#)). Under rule 12 (2), the Commission is to recommend to the Council,

for approval, procedures on the handling of confidential data and information coming to the knowledge of members of the Commission by reason of their duties for the Commission. Such procedures are to be based upon the relevant provisions of the United Nations Convention on the Law of the Sea, the rules, regulations and procedures of the Authority and the procedures established by the Secretary-General pursuant thereto in order to carry out his responsibility to maintain the confidentiality of such data and information.

48. In February, the Commission deliberated on the matter and considered a note by the secretariat ([ISBA/22/LTC/6](#)). It also recalled its previous discussions on conflicts of interest. The Commission took note of the relevant provisions of the Convention relating to obligations of non-disclosure and financial interests relating to members of the Commission and of similar obligations relating to the Secretary-General and staff of the secretariat. The Commission noted that, while the Convention established an obligation not to disclose confidential information, and to some extent defined the data and information that were to be considered confidential, it did not deal with the procedures by which confidential information was to be handled. Instead, such procedures were outlined in the Authority's regulations on prospecting and exploration.³

49. The Commission noted that, pursuant to regulation 37 (1) of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area, the Secretary-General was responsible for establishing procedures for maintaining the confidentiality of all confidential data and information and the handling of such data and information by members of the secretariat, members of the Commission and any other person participating in any activity or programme of the Authority. In 2011, the Secretary-General had issued procedures for information sensitivity, classification and handling in the form of a Secretary-General's bulletin ([ISBA/ST/SGB/2011/03](#)). In the bulletin, the Secretary-General had, among other things, established procedures to ensure the appropriate classification and secure handling by the secretariat of confidential data and information entrusted to or originating from the Authority, with a view to implementing article 168 of the Convention and the Regulations. The Secretary-General had also defined therein the scope of applicability and the responsibilities and basic obligations of staff, in addition to elaborating on the classification principles, classification levels and procedures for identification and marking of documents, including those to be provided to members of the Commission in the course of their work.

50. The Commission noted that annex II to the bulletin contained additional procedures for the handling of confidential data and information transferred to the Authority or to any other person (including members of the Commission) participating in any activity or programme of the Authority pursuant to the Regulations or a contract issued thereunder. It contained procedures on general security, system access control, authenticity and data access security. It also contained procedures for communication security, data security and the handling and processing of data and information, together with a declaration of

³ Regulation 37 of the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area ([ISBA/19/C/17](#), annex), for example, deals with procedures to ensure confidentiality. The same provision is found in regulation 39 of the Regulations on Prospecting and Exploration for Polymetallic Sulphides in the Area ([ISBA/16/A/12/Rev.1](#), annex) and regulation 39 of the Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area ([ISBA/18/A/11](#), annex).

confidentiality to be signed by persons authorized to have access to such confidential data and information. The same declaration of confidentiality was signed by all members of the Commission immediately upon assuming office.

51. In their deliberations, members of the Commission noted that the procedures contained in annex II to the Secretary-General's bulletin appeared to be sufficient and appropriate to safeguard the confidentiality of confidential data and information used by members in the course of their duties and would provide a satisfactory response to the requirement under rule 12 of the rules of procedure to establish procedures on the handling of confidential data and information. It would not be necessary or desirable to establish additional, and potentially inconsistent, rules for the Commission. Nevertheless, for the avoidance of any doubt as to the legal effect of a Secretary-General's bulletin on members of a body external to the secretariat, and therefore not subject to a letter of appointment pursuant to the Staff Regulations, the Commission decided to recommend that the Council should take a formal decision recognizing the applicability, *mutatis mutandis*, of the additional procedures for handling of confidential data and information contained in annex II to the Secretary-General's bulletin to members of the Commission.

B. Issues relating to the operation of the Enterprise, in particular the legal, technical and financial implications for the Authority

52. The Commission was provided with an update on the status of consideration of issues relating to the operation of the Enterprise ([ISBA/22/LTC/9](#)). It was noted that other priorities to address had limited the progress made in relation to that issue, which involved complex questions, such as the capitalization of, and the value of joint ventures with, the Enterprise. In the discussions, it was recalled that the Enterprise occupied a fundamental place in the legal framework that governed activities in the Area and that existing available reserved areas were current assets of the Enterprise. The question of the operationalization of the Enterprise needed to be addressed in the near future, in particular because it was closely related to the possible election of an equity interest in joint arrangements with the Enterprise in lieu of a contribution by a reserved area. It was also suggested that the current economic context must be taken into account with regard to the operationalization of the Enterprise. The Commission took note of the progress report and decided to keep the matter on its agenda for further consideration. In the meantime, the Commission requested the secretariat, within existing resources and priorities, to continue its work on the studies identified in 2014 on the identification of gaps and clarification of the terms and conditions upon which a future joint venture arrangement between a contractor and the Enterprise could be implemented, on the basis of the terms of reference set out in the annex to document [ISBA/20/LTC/12](#).

C. Stakeholder consultation and engagement strategy

53. In February, the Commission was provided with a consultant report on a stakeholder consultation and engagement strategy. The Commission took note of the report and recalled the engagement with stakeholders in developing the regulations on exploitation for mineral resources in the Area. The Commission also observed that there was a need for the Authority to develop such a strategy.

D. Issues relating to the sponsorship of contracts for exploration in the Area, monopolization, effective control and related matters

54. In July 2015, the Commission requested the Secretariat to prepare an analysis illustrating and identifying more specifically the new ways of doing business and the new models of business arrangement and any implications of those trends in the light of questions of monopolization, abuse of dominant position and effective control by a sponsoring State over sponsored entities.

55. At the current session, in considering that analysis (ISBA/22/LTC/13), the Commission recalled that it had highlighted the emergence of those trends in connection with the rights to apply for a plan of work for activities in reserved areas that were accorded exclusively to developing States, their sponsored entities and the Enterprise. While recognizing that applicants were qualified, the Commission drew the attention of the Council to models of business arrangements rooted in the close partnership between developing States and their sponsored entities with the business interest of entities registered in, or owned by nationals of, developed States who had contributed to the reserved areas under applications by developing States or entities sponsored by them. By way of illustration, the analysis provided examples of various operational arrangements (such as a corporate structure between a parent company incorporated in a developed State and its subsidiary being an entity sponsored by a developing State, an equal and equitable arrangement between a developing State and a contractor sponsored by a developed State or a model of collaboration in the execution of the plan of work between the contractor that contributed to the reserved area and the contractor, sponsored by a developing State, that is granted that reserved area).

56. In its deliberations, the Commission noted that new ways of doing business and new models of business arrangements were distinct issues. The former was related to partnerships between an entity that contributed a reserved area and an entity sponsored by a developing State that carried out its exploration activities. The latter referred to the observation that the election of an equity interest in joint arrangements was frequently preferred over the contribution of reserved areas, which was simpler to opt for in the case of polymetallic nodules. The Commission observed that those issues were also closely related to the question of the operationalization of the Enterprise. It also observed that the recent trends of partnerships between developing States or entities sponsored by them on the one hand, and developed States or entities sponsored by them on the other, required the undertaking of a more complete study of the implications of those trends for key features at the heart of the common heritage regime (the operationalization of the Enterprise, the future of the parallel system, cherry-picking or selective use of reserved areas and a reduction in the availability of reserved areas, for example). The point was made that new ways of doing business and new business arrangements illustrated a form of cooperation chosen by developing States or entities sponsored by them. It was also indicated that those models could provide options for the operationalization of the Enterprise through a joint venture arrangement. Reference was also made to a consortium, which offered another example of how to enable developing States to carry out activities in the Area.

57. The Commission agreed that it was premature to take action and reach any conclusion until a detailed analysis had been made. It therefore agreed to keep those issues under review and on its agenda as part of its workplan over the coming five

years. The Commission requested the secretariat to prepare terms of reference for an in-depth analysis of those issues for its consideration in 2017.

VIII. Consideration of the interim report of the review committee established to oversee the periodic review of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea

58. The Commission welcomed those in attendance at the open session and expressed its great satisfaction at the interest shown by the many individuals present. It considered the interim report provided by the consultants, deeming it timely and essential to the assessment of the implementation of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea to date. The Commission was unable to reach consensus, however, meaning that the following paragraphs reflect the views of the majority of its members.

59. Concerns were expressed, including with regard to shortcomings in the methodology of the review survey, such as drawing conclusions on the basis of the few responses to the questionnaire, and to recommendations stemming from only one or a handful of respondents. In addition, there was no visibility of the largest category of respondents as to their knowledge of the regime under review and consequently their accountability or responsibility in relation to matters relating to the mandate of the Authority. Furthermore, the underrepresentation of geographical regions and the phrasing of some questions that had the potential to influence responses, and thus outcomes, were noted. Some members of the Commission were of the opinion that there had been misunderstandings, such as regarding the distinction between transparency and lack of information. That demonstrated a need for the Authority to develop a clear communication strategy.

60. The interim report should be taken as a wake-up call for the Authority to act at the current session. The majority of the Commission members considered it to be the first in a series of steps to facilitate improved monitoring of the activities of the Authority. The point raised by the Commission was strongly connected to the comments of 25 May made by the committee established to oversee the review of the manner in which the international regime of the Area established in the Convention had operated in practice. It was also highlighted that the report was simply interim in nature.

Annex I

Status of the former registered pioneer investors

Note by the secretariat

1. The Legal and Technical Commission has requested the secretariat to clarify the legal status, with regard to their contracts for exploration for polymetallic nodules, of the former registered pioneer investors under resolution II of the Third United Nations Conference on the Law of the Sea.

2. Resolution II, which was adopted together with the Convention on 30 April 1982, set out rules governing preparatory investment in pioneer activities relating to polymetallic nodules. During the final stages of the Third United Nations Conference on the Law of the Sea, a number of countries made unilateral claims to deep seabed mine sites and enacted domestic legislation giving reciprocal recognition to such claims. The intention behind resolution II therefore was to create an interim system, applicable between the adoption of the Convention and its entry into force, in order to recognize and “protect the substantial investments already made in the development of seabed mining technology, equipment and expertise”^a and in the research and identification of potential mining areas made by early investors, but at the same time to bring these within the umbrella of the Convention.

3. Pioneer investors were registered by the Preparatory Commission, as follows:

- India, 17 August 1987
- Institut français de recherche pour l’exploitation de la mer (IFREMER)/ Association française pour l’exploration et la recherche des nodules (AFERNOD) (France), 17 December 1987
- Deep Ocean Resources Development Co. Ltd (Japan), 17 December 1987
- Yuzhmoregeologiya, sponsored by the former Union of Soviet Socialist Republics (now the Russian Federation), 17 December 1987
- China Ocean Mineral Resources Research and Development Association (COMRA) (China), 5 March 1991
- Interoceanmetal Joint Organization (IOM), a consortium sponsored by Bulgaria, Cuba, the former Czechoslovakia (now the Czech Republic and Slovakia), Poland and the former Union of Soviet Socialist Republics, 21 August 1991
- Government of the Republic of Korea, 2 August 1994.

4. Others that qualified as pioneer investors under resolution II but did not register as pioneer investors were four consortia based in the United States of America: (a) Kennecott Consortium, formed in 1974, composed of Kennecott Corporation (United States), TTZ Deepsea Mining Enterprises Ltd (United Kingdom of Great Britain and Northern Ireland), Consolidated Gold Fields PLC (United Kingdom), BP Petroleum Development Ltd (United Kingdom), Noranda

^a See [LOS/PCN/L.103](#), para. 11 (Chairman of the Preparatory Commission).

Exploration Inc. (Canada) and Mitsubishi Group (Japan); (b) Ocean Mining Associates, formed in 1974, composed of Essex Minerals Company (United States), Union Seas Inc. (Belgium), Sun Ocean Ventures (United States) and Samim Ocean Inc. (Italy); (c) Ocean Management Inc., formed in 1975, composed of Inco Inc. (Canada), SEDCO Inc. (United States), Arbeitsgemeinschaft Meeretechnisch Gewinnbare Rohstoffe (Germany) and Deep Ocean Minerals Company (Japan); and (d) Ocean Minerals Company (OMCO), formed in 1977, composed of Amoco Ocean Minerals Co. (United States), Lockheed Corporation (United States), Royal Dutch Shell (Netherlands) and Royal Boskalis Westminster (Netherlands).

5. The activities of the registered pioneer investors were supervised by the Preparatory Commission, while at the same time the negotiations on the implementation of Part XI of the Convention continued. In accordance with its provisions, resolution II expired six months after the date of entry into force of the Convention. Furthermore, in order to complete the link between resolution II and the Convention regime, under paragraph 8 of resolution II, an application for approval of a plan of work by a registered pioneer investor was required to be submitted within six months of the date of entry into force of the Convention, accompanied by a certificate of compliance issued by the Preparatory Commission. Under the 1994 Agreement, the six-month deadline was further extended to 36 months following the entry into force of the Convention (that is, by 16 November 1997).

6. In accordance with the 1994 Agreement, annex, section 1, paragraph 6 (a) (ii), a registered pioneer investor may request approval of a plan of work for exploration. The plan of work for exploration shall consist of documents, reports and other data submitted to the Preparatory Commission both before and after registration and shall be accompanied by a certificate of compliance, consisting of a factual report describing the status of fulfilment of obligations under the pioneer investor regime, issued by the Preparatory Commission. Such a plan of work shall be considered to be approved.

7. In accordance with the foregoing provisions, the seven registered pioneer investors submitted requests for approval of their plans of work for exploration on 19 August 1997. The requests were considered by the Legal and Technical Commission on 21 August 1997 and a report was submitted to the Council on 22 August 1997 ([ISBA/3/C/7](#)). On 27 August 1997, the Council, acting on the recommendation of the Commission, noted that in accordance with the Agreement, the plans of work for exploration were considered to be approved and requested the Secretary-General to issue the plans of work for exploration in the form of contracts incorporating the applicable obligations under the provisions of the Convention and the Agreement and in accordance with the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area in the standard form of contract to be agreed by the Council (see [ISBA/3/C/9](#)).

8. The Regulations, incorporating the standard form of contract, were adopted in 2000. Subsequently, the first group of contracts were issued, as follows: Interoceanmetal Joint Organization (sponsored by Bulgaria, Cuba, the Czech Republic, Poland, the Russian Federation and Slovakia), on 29 March 2001; Yuzhmorgeologiya (the Russian Federation) on 29 March 2001; Government of the Republic of Korea, on 27 April 2001; China Ocean Mineral Resources Research and Development Association (COMRA) (China), on 22 May 2001; Deep Ocean

Resources Development Ltd. (Japan), on 20 June 2001; Institut français de recherche pour l'exploitation de la mer (France), on 20 June 2001; Government of India, on 25 March 2002.

9. While paragraph 13 of resolution II provides that the Authority and its organs shall honour and recognize the rights and obligations arising from resolution II, this provision has to be read and understood in the light of paragraph 14, which provides that the resolution shall have effect until the entry into force of the Convention. In the case of the seven contractors referred to above, their status also has to be understood in the light of clause 6 of the Contract for Exploration (annex III.F to the Regulations), which provides that “this contract expresses the entire agreement between the parties, and no oral understanding or prior writing shall modify the terms hereof”.

10. The only qualification that must be noted is with respect to the obligation of training, pursuant to regulation 27 of the Regulations. The 2000 edition of the Regulations (ISBA/6/A/18, annex) contained a specific provision in paragraph 2 of regulation 27, as follows: “In the case of a registered pioneer investor, the contract shall take into account the training provided in accordance with the terms of its registration as a registered pioneer investor”.

11. The understanding, on the basis of this provision and of the terms of the contracts, is that, in the case of the former registered pioneer investors, there was no contractual obligation to provide further training beyond that which had been provided during the pioneer phase.^b

^b In the case of the Republic of Korea, its training programme was submitted on 6 March 1995, after the Preparatory Commission had completed its work, and was therefore implemented under the supervision of the Legal and Technical Commission.

Annex II

Priority deliverables, high-level issues, action plan: update and suggested work programme for discussion

Task area

Stage 1: update

Stage 2: next steps 2016/17 and other comments

A. Priority deliverables ([ISBA/21/C/16](#), annex III)

- | | | |
|---|---|--|
| 1. A zero draft of exploitation regulations and standard contract terms based on the working structure agreed by the Commission | A working draft of the exploitation regulations was presented for consideration by the Commission in July 2016 | <ul style="list-style-type: none"> • Review, revise and issue the working draft exploitation regulations to all stakeholders in July 2016, with appropriate covering language • Commence working draft of environmental regulations (environmental assessment and management provisions) based on skeleton working structure (see also priority deliverable No. 4 below) • Prepare outline structure of seabed mining directorate regulations (see also high-level issue No. 14 below) |
| 2. Financial modelling for proposed financial terms and payment mechanism | No detailed financial modelling has been undertaken. Financial terms now reflected as Part V of the working draft. See also output from payment regime workshop | <ul style="list-style-type: none"> • Further payment regime workshop tentatively proposed for late 2016 but timing to be considered in light of other impact areas, e.g., jurisdictional competencies (high-level issues Nos. 2 and 10 below), responsibility and liability (priority deliverable No. 7). Initial desktop modelling an option • Areas for discussion highlighted in the conference report on the deep seabed mining payment regime workshop (San Diego, United States of America, 17-18 May 2016), including modelling of options (subject to data availability) |
| 3. Data management strategy and plan (also high-level issue No. 1) | This will be presented by the secretariat in July 2016 | <ul style="list-style-type: none"> • ISBA/22/LTC/15 |
| 4. Environmental assessment and management | See outcomes of Brisbane workshop | <ul style="list-style-type: none"> • Workshop in Berlin tentatively proposed for January 2017 (mainly strategic environmental assessment-focused) • Precautionary approach — develop criteria/measures • Develop strategic environmental plan for Clarion-Clipperton Zone (ISBA/22/LTC/12) • Establish regional environmental assessment process and regional environmental management plans |

<i>Task area</i>	<i>Stage 1: update</i>	<i>Stage 2: next steps 2016/17 and other comments</i>
		<ul style="list-style-type: none"> Options for environmental impact assessment scoping, review and decision-making process to be formulated, including public participation options Finalize environmental impact statement template/draft statement guidelines
5. Adaptive management approach (also high-level issue No. 8)	New Zealand Government paper issued/considered at Brisbane workshop	<ul style="list-style-type: none"> Prepare working definition and guidelines to assist the Authority in decision as to whether adaptive management is appropriate for deep sea mining
6. “Serious harm”	Considered during working session at Brisbane workshop	<ul style="list-style-type: none"> Expert study required on definition of “serious harm” (and related concepts) and study regarding definition and thresholds for “substantial evidence”
7. Responsibility and liability	No action taken	<ul style="list-style-type: none"> Legal working group to be established To also consider concept of environmental liability trust fund
B. High-level issues (exploitation draft framework, high-level issues and action plan, version II, 15 July 2015)		
2. Activities in the Area — competence of the Authority and of other relevant competent international organizations	No action taken	<ul style="list-style-type: none"> Possible workshop on jurisdictional competencies to be convened during last quarter of 2016?
6. Confidentiality	See Authority discussion paper No. 2: Data and information management considerations arising under the proposed new exploration regulations	<ul style="list-style-type: none"> Await Commission/Council/stakeholder feedback on confidentiality provisions in the working draft exploitation regulations Links with issue of “transparency” and access to information
9. “Internationally recognized standards” and their significance in exploitation activities	No action taken	<ul style="list-style-type: none"> Develop indicative list of relevant standards across subject areas Authority to engage with relevant stakeholders to initiate a standard development process and framework

<i>Task area</i>	<i>Stage 1: update</i>	<i>Stage 2: next steps 2016/17 and other comments</i>
10. Sponsoring State(s) and the Authority — a clear division of duties and responsibilities?	No action taken	<ul style="list-style-type: none"> • Matrix setting out duties and responsibilities to be developed • Link with workshop on jurisdictional competencies
13. Authority stakeholder consultation	See Authority discussion paper No. 3: Developing a communications and engagement strategy for the International Seabed Authority to ensure active stakeholder participation in the development of a minerals exploitation code	<ul style="list-style-type: none"> • A priority area that requires urgent attention
14. Mining inspectorate/directorate/environmental regulator	No action taken	<ul style="list-style-type: none"> • Action plan to be developed in light of article 154 review and decisions made by the Authority • Develop a working paper setting out a suggested structure and options, including funding, for the operation of an inspection regime

C. Action plan (exploitation draft framework, high-level issues and action plan, version II, 15 July 2015)

Note: the Commission is encouraged to review the action plan attached to the draft framework for consideration of other tasks it considers important/a priority for 2016/17.

Contract violations and penalties	No action taken	<ul style="list-style-type: none"> • Desktop review to be undertaken on existing/comparable regimes • Interaction with sponsoring State offence and penalty regime to be understood
Settlement of disputes	See Authority discussion paper No. 1: Dispute resolution considerations arising under the proposed new exploitation regulations	<ul style="list-style-type: none"> • Await Commission/Council/stakeholder feedback on dispute resolution provisions in working draft exploitation regulations/consideration of discussion paper No. 1
Suspension and termination of contract	No action taken	<ul style="list-style-type: none"> • Technical paper to clarify meaning of “serious persistent and wilful violations”, on the basis of existing best practice in extractive industries

<i>Task area</i>	<i>Stage 1: update</i>	<i>Stage 2: next steps 2016/17 and other comments</i>
Revision (of contract)	No action taken	<ul style="list-style-type: none"> • Technical paper to clarify meaning of “inequitable, impracticable and impossible” referenced in annex III, article 19, of the Convention
Environmental bonds and performance guarantees	Initial concepts and principles discussed at payment regime workshop	<ul style="list-style-type: none"> • The interaction between commercial insurance and bond mechanisms needs to be investigated together with the terms and conditions, including appropriate quantum of any bond • Interaction with responsibility and liability regime to be considered
Insurance	Discussed briefly at payment regime workshop. No definitive outcome/ recommendations	<ul style="list-style-type: none"> • Discussions with contractors, the insurance industry and other stakeholders needed to gain knowledge and understanding of insurance specifics, including limitations, exceptions and exclusions. See also “Environmental bonds and performance guarantees” above
Seabed sustainability fund	No action taken. Discussed in principle at payment regime workshop	<ul style="list-style-type: none"> • A working paper to be drafted, articulating the concept and objectives of such a fund for circulation to interested parties
Section 6 of the Agreement	Elements of section 6 obligations have been reflected in the working draft regulations	<ul style="list-style-type: none"> • Expert in World Trade Organization law and affairs to be engaged to determine the Authority’s responsibility under section 6 of the Agreement, including drafting of relevant rules, regulations and procedures contemplated under section 6 (6)



Council

Distr.: General
18 July 2016

Original: English

Twenty-second session

Kingston

11-22 July 2016

Decision of the Council of the International Seabed Authority relating to an application for approval of a plan of work for exploration for cobalt-rich ferromanganese crusts by the Government of the Republic of Korea

The Council of the International Seabed Authority,

Acting upon the recommendation of the Legal and Technical Commission,¹

Noting that, on 10 May 2016, the Government of the Republic of Korea submitted to the Secretary-General of the International Seabed Authority an application for approval of a plan of work for exploration for cobalt-rich ferromanganese crusts in the Area, in accordance with the Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area,²

Recalling that, in accordance with section 1, paragraph 6 (a), of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,³ the processing of an application for approval of a plan of work for exploration shall be in accordance with the provisions of the Convention, including annex III thereto, and the Agreement,

Recalling also that, pursuant to article 153, paragraph 3, of the Convention⁴ and section 1, paragraph 6 (b), of the annex to the Agreement, the plan of work for exploration shall be in the form of a contract concluded between the Authority and the applicant,

Taking note of the advisory opinion of 1 February 2011 of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea on responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area,

¹ See [ISBA/22/C/10](#).

² [ISBA/18/A/11](#), annex.

³ United Nations, *Treaty Series*, vol. 1836, No. 31364.

⁴ United Nations, *Treaty Series*, vol. 1833, No. 31363.



1. *Takes note* of the report and recommendations of the Legal and Technical Commission to the Council of the International Seabed Authority relating to an application for the approval of a plan of work for exploration for cobalt-rich ferromanganese crusts by the Government of the Republic of Korea,¹ in particular paragraphs 26 to 29 thereof;

2. *Approves* the plan of work for exploration for cobalt-rich ferromanganese crusts submitted by the Government of the Republic of Korea;

3. *Requests* the Secretary-General of the International Seabed Authority to issue the plan of work for exploration for cobalt-rich ferromanganese crusts in the form of a contract between the Authority and the Government of the Republic of Korea, in accordance with the Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area.²

218th meeting
18 July 2016



Council

Distr.: General
18 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Decision of the Council of the International Seabed Authority relating to an application by Interoceanmetal Joint Organization for extension of a contract for exploration for polymetallic nodules between Interoceanmetal Joint Organization and the Authority

The Council of the International Seabed Authority,

Acting upon the recommendation of the Legal and Technical Commission,¹

Recalling that, on 29 March 2001, Interoceanmetal Joint Organization entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 28 September 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of the contract,

Recalling section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,²

Recalling also the Decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,³

Considering the report and recommendation of the Legal and Technical Commission relating to the application by Interoceanmetal Joint Organization for extension of the contract,

Noting that, in paragraph 14 of his report to the Council, the Chair of the Legal and Technical Commission had summarized the modifications to the plans of work for exploration proposed by the applicants during the extension period,⁴

¹ See [ISBA/22/C/11](#).

² United Nations, *Treaty Series*, vol. 1836, No. 31364.

³ [ISBA/21/C/19](#).

⁴ See [ISBA/22/C/17](#).



Noting also paragraph 16 of the report of the Chair of the Legal and Technical Commission,

1. *Decides* to approve the application for extension of the contract;
2. *Requests* the Secretary-General to take the necessary steps to execute the extension of the contract, with effect from 29 March 2016, by signature of an agreement in the form set out in appendix II to the annex to the decision of the Council of the International Seabed Authority mentioned above;³
3. *Also requests* the Secretary-General to report to the Council at its next session on the status of the extension agreement, including details of the modifications to the plans of work for exploration;
4. *Invites* the applicant to be ready to proceed to exploitation at the end of the five-year extension period.

219th meeting
18 July 2016

**Council**

Distr.: General
18 July 2016

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Twenty-second session
Kingston, 11-22 July 2016

**Decision of the Council of the International Seabed Authority
relating to an application by Yuzhmorgeologiya for extension of a
contract for exploration for polymetallic nodules between
Yuzhmorgeologiya and the Authority**

The Council of the International Seabed Authority,

Acting upon the recommendation of the Legal and Technical Commission,¹

Recalling that, on 29 March 2001, Yuzhmorgeologiya entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 28 September 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of the contract,

Recalling section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,²

Recalling also the Decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,³

Considering the report and recommendation of the Legal and Technical Commission relating to the application by Yuzhmorgeologiya for extension of the contract,

Noting that, in paragraph 14 of his report to the Council, the Chair of the Legal and Technical Commission had summarized the modifications to the plans of work for exploration proposed by the applicants during the extension period,⁴

¹ See [ISBA/22/C/12](#).

² United Nations, *Treaty Series*, vol. 1836, No. 31364.

³ [ISBA/21/C/19](#).

⁴ See [ISBA/22/C/17](#).



Noting also paragraph 16 of the report of the Chair of the Legal and Technical Commission,

1. *Decides* to approve the application for extension of the contract;
2. *Requests* the Secretary-General to take the necessary steps to execute the extension of the contract, with effect from 29 March 2016, by signature of an agreement in the form set out in appendix II to the annex to the decision of the Council of the International Seabed Authority as mentioned above;²
3. *Also requests* the Secretary-General to report to the Council at its next session on the status of the extension agreement, including details of the modifications to the plans of work for exploration;
4. *Invites* the applicant to be ready to proceed to exploitation at the end of the five-year extension period.

219th meeting
18 July 2016

**Council**

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Twenty-second session
Kingston, 11-22 July 2016

Decision of the Council of the International Seabed Authority relating to an application by the Government of the Republic of Korea for extension of a contract for exploration for polymetallic nodules between the Government of the Republic of Korea and the Authority

The Council of the International Seabed Authority,

Acting upon the recommendation of the Legal and Technical Commission,¹

Recalling that, on 27 April 2001, the Government of the Republic of Korea entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 3 December 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of the contract,

Recalling section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,²

Recalling also the Decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,³

Considering the report and recommendation of the Legal and Technical Commission relating to the application by the Government of the Republic of Korea for extension of the contract,

¹ See ISBA/22/C/13.

² United Nations, *Treaty Series*, vol. 1836, No. 31364.

³ ISBA/21/C/19.



Noting that, in paragraph 14 of his report to the Council, the Chair of the Legal and Technical Commission had summarized the modifications to the plans of work for exploration proposed by the applicants during the extension period,⁴

Noting also paragraph 16 of the report of the Chair of the Legal and Technical Commission,

1. *Decides* to approve the application for extension of the contract;
2. *Requests* the Secretary-General to take the necessary steps to execute the extension of the contract, with effect from 27 April 2016, by signature of an agreement in the form set out in appendix II to the annex to the decision of the Council of the International Seabed Authority mentioned above;²
3. *Also requests* the Secretary-General to report to the Council at its next session on the status of the extension agreement, including details of the modifications to the plans of work for exploration;
4. *Invites* the applicant to be ready to proceed to exploitation at the end of the five-year extension period.

219th meeting
18 July 2016

⁴ See [ISBA/22/C/17](#).

**Council**

Distr.: General
18 July 2016

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Twenty-second session
Kingston, 11-22 July 2016

**Decision of the Council of the International Seabed Authority
relating to an application by the China Ocean Mineral Resources
Research and Development Association for extension of a contract
for exploration for polymetallic nodules between the China Ocean
Mineral Resources Research and Development Association and
the Authority**

The Council of the International Seabed Authority,

Acting upon the recommendation of the Legal and Technical Commission,¹

Recalling that, on 22 May 2001, the China Ocean Mineral Resources Research and Development Association entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 19 November 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of the contract,

Recalling section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,²

Recalling also the Decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,³

Considering the report and recommendation of the Legal and Technical Commission relating to the application by the China Ocean Mineral Resources Research and Development Association for extension of the contract,

¹ See ISBA/22/C/14.

² United Nations, *Treaty Series*, vol. 1836, No. 31364.

³ ISBA/21/C/19.



Noting that, in paragraph 14 of his report to the Council, the Chair of the Legal and Technical Commission had summarized the modifications to the plans of work for exploration proposed by the applicants during the extension period,⁴

Noting also paragraph 16 of the report of the Chair of the Legal and Technical Commission,

1. *Decides* to approve the application for extension of the contract;
2. *Requests* the Secretary-General to take the necessary steps to execute the extension of the contract, with effect from 22 May 2016, by signature of an agreement in the form set out in appendix II to the annex to the decision of the Council of the International Seabed Authority mentioned above;²
3. *Also requests* the Secretary-General to report to the Council at its next session on the status of the extension agreement, including details of the modifications to the plans of work for exploration;
4. *Invites* the applicant to be ready to proceed to exploitation at the end of the five-year extension period.

219th meeting
18 July 2016

⁴ See [ISBA/22/C/17](#).

**Council**

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18 July 2016

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Twenty-second session
Kingston, 11-22 July 2016

Decision of the Council of the International Seabed Authority relating to an application by Deep Ocean Resources Development Co. Ltd. for extension of a contract for exploration for polymetallic nodules between Deep Ocean Resources Development Co. Ltd. and the Authority

The Council of the International Seabed Authority,

Acting upon the recommendation of the Legal and Technical Commission,¹

Recalling that, on 20 June 2001, Deep Ocean Resources Development Co. Ltd. entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 3 December 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of the contract,

Recalling section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,²

Recalling also the Decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,³

Considering the report and recommendation of the Legal and Technical Commission relating to the application by Deep Ocean Resources Development Co. Ltd. for extension of the contract,

¹ See ISBA/22/C/15.

² United Nations, *Treaty Series*, vol. 1836, No. 31364.

³ ISBA/21/C/19.



Noting that, in paragraph 14 of his report to the Council, the Chair of the Legal and Technical Commission had summarized the modifications to the plans of work for exploration proposed by the applicants during the extension period,⁴

Noting also paragraph 16 of the report of the Chair of the Legal and Technical Commission,

1. *Decides* to approve the application for extension of the contract;
2. *Requests* the Secretary-General to take the necessary steps to execute the extension of the contract, with effect from 20 June 2016, by signature of an agreement in the form set out in appendix II to the annex to the decision of the Council of the International Seabed Authority mentioned above;²
3. *Also requests* the Secretary-General to report to the Council at its next session on the status of the extension agreement, including details of the modifications to the plans of work for exploration;
4. *Invites* the applicant to be ready to proceed to exploitation at the end of the five-year extension period.

219th meeting
18 July 2016

⁴ See [ISBA/22/C/17](#).



Council

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18 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Decision of the Council of the International Seabed Authority relating to an application by the Institut français de recherche pour l'exploitation de la mer for extension of a contract for exploration for polymetallic nodules between the Institut français de recherche pour l'exploitation de la mer and the Authority

The Council of the International Seabed Authority,

Acting upon the recommendation of the Legal and Technical Commission,¹

Recalling that, on 20 June 2001, the Institut français de recherche pour l'exploitation de la mer entered into a 15-year contract for exploration for polymetallic nodules with the International Seabed Authority,

Noting that, on 16 December 2015, the Secretary-General of the International Seabed Authority received an application for a five-year extension of the contract,

Recalling section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,²

Recalling also the Decision of the Council of the International Seabed Authority relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,³

Considering the report and recommendation of the Legal and Technical Commission relating to the application by the Institut français de recherche pour l'exploitation de la mer for extension of the contract,

Noting that, in paragraph 14 of his report to the Council, the Chair of the Legal and Technical Commission had summarized the modifications to the plans of work for exploration proposed by the applicants during the extension period,⁴

¹ See [ISBA/22/C/16](#).

² United Nations, *Treaty Series*, vol. 1836, No. 31364.

³ [ISBA/21/C/19](#).

⁴ See [ISBA/22/C/17](#).



Noting also paragraph 16 of the report of the Chair of the Legal and Technical Commission,

1. *Decides* to approve the application for extension of the contract;
2. *Requests* the Secretary-General to take the necessary steps to execute the extension of the contract, with effect from 20 June 2016, by signature of an agreement in the form set out in appendix II to the annex to the decision of the Council of the International Seabed Authority mentioned above;²
3. *Also requests* the Secretary-General to report to the Council at its next session on the status of the extension agreement, including details of the modifications to the plans of work for exploration;
4. *Invites* the applicant to be ready to proceed to exploitation at the end of the five-year extension period.

219th meeting
18 July 2016



Council

Distr.: General
18 July 2016

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Twenty-second session
Kingston, 11-22 July 2016

Decision of the Council of the International Seabed Authority concerning the candidates for the election of the Secretary-General

The Council of the International Seabed Authority,

Acting in accordance with article 162, paragraph 2 (b), of the United Nations Convention on the Law of the Sea of 10 December 1982,

Decides to propose to the Assembly the following two candidates for the election of the Secretary-General:

Michael W. Lodge (United Kingdom of Great Britain and Northern Ireland)

Nii A. Odunton (Ghana)

219th meeting
18 July 2016





Council

Distr.: General
19 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Decision of the Council of the International Seabed Authority relating to the summary report of the Chair of the Legal and Technical Commission

The Council of the International Seabed Authority,

1. *Recalling* its decision [ISBA/21/C/20](#);
2. *Takes note with appreciation* of the summary report of the Chair of the Legal and Technical Commission on the work of the Commission during the twenty-second session;
3. *Welcomes* the Commission's work on the framework for the exploitation regulations, in particular the provision of the first working draft of the exploitation regulations, and requests the Commission to continue its work on exploitation regulations as a matter of priority;
4. *Endorses* the Commission's list of priority deliverables for the development of the exploitation code over the next 12 to 18 months, as set out in annex II to document [ISBA/22/C/17](#);
5. *Expresses its appreciation* to the contractors for their valuable commitment to bringing about a substantial increase in the number of training programmes over the coming five years, noting that the number might reach as high as 200, and takes note with satisfaction that, to manage the substantial workload relating to the training programmes, a position in the secretariat focused on training has been included in the next proposed budget of the Authority;
6. *Takes note* of the detailed and substantive consideration given to the six applications for extension of exploration contracts, especially the consideration of whether contractors had made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractors' control, had been unable to complete the preparatory work necessary for proceeding to the exploitation stage, or if the prevailing economic conditions did not justify proceeding to the exploitation stage;
7. *Reiterates* the importance of appendix I, paragraph 1, of the decision contained in document [ISBA/21/C/19](#) relating to information to be contained in an application for extension of a contract for exploration;



8. *Notes* the Commission's recommendation on the need to ensure the consistent application of the existing procedures formulated by the Secretary-General, and decides that the additional procedures for the handling of confidential data and information contained in annex II to the Secretary-General's Bulletin [ISBA/ST/SGB/2011/03](#) shall apply, *mutatis mutandis*, to the Commission;

9. *Expresses its appreciation* for the report of the Chair of the Commission to the Council regarding the review of the implementation of the environmental management plan for the Clarion-Clipperton Zone;

10. *Notes* that a workshop to review the implementation of the plan was to be convened before the twenty-second session, in 2016, and requests that that workshop be convened before the twenty-third session, in 2017;

11. *Also notes* the Commission's decision to consider holding a scientific workshop together with marine reserve/management specialists to determine the suitability or need for amendment of the areas of particular environmental interest, and to consider holding a workshop on impact reference zones and preservation reference zones, and encourages the secretariat to work closely with the Commission to determine suitable timing for those workshops and to ensure the broadest participation of all concerned States Parties;

12. *Further encourages* the Commission and the secretariat to make progress on the development of environmental management plans in other international seabed area zones, in particular where there are currently exploration contracts, recalling paragraph 60 of United Nations General Assembly resolution 70/235;

13. *Requests* all contractors to make their environmental data readily and publicly available;

14. *Requests* the Commission to review the provisions of the regulations on prospecting and exploration relating to the option of offering an equity interest in a joint venture arrangement with a view to aligning all regulations in that respect, and to make a recommendation thereon for consideration by the Council at its next session;

15. *Requests* the Secretary-General to ensure that adequate time and resources continue to be made available to support the work of the Commission, especially on priority issues;

16. *Also requests* the Secretary-General to update the Council on the implementation of the present decision at its twenty-third session, in 2017, and that that update be incorporated into the Council's agenda as a standing item.

220th meeting
19 July 2016



Council

Distr.: General
26 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Decision of the Council of the International Seabed Authority relating to the election of members of the Legal and Technical Commission

The Council of the International Seabed Authority,

Considering the matter of the election of members of the Legal and Technical Commission for the period 2017-2021,

Recalling article 163, paragraphs 3 and 4, of the United Nations Convention on the Law of the Sea,¹ which provides that candidates nominated for the Commission shall have appropriate qualifications in the area of competence of the Commission and that in the election of members of the Commission, due account shall be taken of the need for equitable geographical distribution and the representation of special interests,

Noting the ongoing general and systematic review of the manner in which the international regime of the Area has operated in practice pursuant to article 154 of the Convention, and anticipating the relevance of the outcomes of that review for future consideration of the size and composition of the Commission,

1. *Requests* that the Secretary-General, in consultation with the Legal and Technical Commission, provide a report by 31 December 2016, for consideration by the Council of the International Seabed Authority at the twenty-third session of the International Seabed Authority, identifying the ideal size of the Commission and proposing a mechanism to ensure that future elections are undertaken in a manner that better takes into account all the considerations set out in the second preambular paragraph of the present decision, including equitable geographic distribution;

2. *Decides* that, no later than the twenty-fifth session of the Authority, the Council, having considered the report requested in paragraph 1 of the present decision, will reach a clear and binding decision on a process to govern the next election of members to the Commission;

3. *Notes* that future elections shall be informed by consideration of the report requested in paragraph 1 of the present decision, and decides, on an

¹ United Nations, *Treaty Series*, vol. 1833, No. 31363.



exceptional and temporary basis, without prejudice to future elections, and with due regard to economy and efficiency, to increase the number of members of the Commission to 30;

4 *Decides* that, in the consideration of the size of the Commission for the next term, the starting basis should be 25 members, taking into account the report requested in paragraph 1 of the present decision and the outcomes of the review of article 154 of the United Nations Convention on the Law of the Sea.¹

5. *Elects* the following as members of the Legal and Technical Commission for the period 2017-2021:

Dorca Auma Achapa (Kenya)
Mark B. Alcock (Australia)
Alfonso Ascencio-Herrera (Mexico)
Mario Juan A. Aurelio (Philippines)
Khalid Mehmood Awan (Pakistan)
Harald Brekke (Norway)
Winifred M. Broadbelt (Netherlands)
Georgy A. Cherkashev (Russian Federation)
Malcolm Clark (New Zealand)
Montserrat González Carrillo (Chile)
Russell Howorth (Fiji)
Elie Jarmache (France)
Thembile Elphus Joyini (South Africa)
Se-Jong Ju (Republic of Korea)
Ryszard Andrzej Kotliński (Poland)
Rena Lee (Singapore)
Carlos Roberto Leite (Brazil)
Pedro Madureira (Portugal)
Adolfo Maestro González (Spain)
Théophile Ndougsa Mbarga (Cameroon)
Nobuyuki Okamoto (Japan)
Gordon Lindsay John Paterson (United Kingdom of Great Britain and Northern Ireland)
Christian Juergen Reichert (Germany)
Andrés Sebastián Rojas (Argentina)
Mahmoud Samy (Egypt)
Joshua T. Tuhumwire (Uganda)
Siosua Utoikamanu (Tonga)
Milind P. Wadikar (India)
Michelle Walker (Jamaica)
Jun Wu (China)

6. *Calls for* nominees from the underrepresented regional groups to fill additional vacancies at an election at the twenty-third session of the Council, if the review recommends an increase in the number of members of the Commission;

7. *Emphasizes* the importance of strictly following the agreed procedures for future elections;

8 *Also emphasizes* that it is imperative for members of the Commission to make every effort to attend and participate in all meetings of the Commission in full.

223rd meeting
22 July 2016



Council

Distr.: General
29 July 2016

Original: English

Twenty-second session
Kingston, 11-22 July 2016

Summary report of the President of the Council of the International Seabed Authority on the work of the Council during its twenty-second session

1. The twenty-second session of the Council of the International Seabed Authority was held in Kingston from 11 to 22 July 2016.

I. Adoption of the agenda

2. At its 213th meeting, on 12 July, the Council adopted the agenda for its twenty-second session, as contained in document [ISBA/22/C/1](#).

II. Election of the President and Vice-Presidents of the Council

3. At the same meeting, the Council elected Mariusz Orion Jędrysek (Poland) as President of the Council for the twenty-second session. Subsequently, following consultations of the regional groups, the Council elected the representatives of Uganda (African States Group), India (Asia-Pacific States Group), Mexico (Latin American and Caribbean States Group) and France (Western European and Other States Group) as Vice-Presidents.

III. Report of the Secretary-General on the credentials of members of the Council

4. At the 219th meeting, on 18 July, the Secretary-General of the Authority informed the Council that, to date, credentials had been received from 34 members of the Council. It was noted that, in accordance with the system agreed upon for the allocation of seats among the regional groups at the first session of the Council, the Asia-Pacific States Group had designated Bangladesh to participate in the meetings of the Council without the right to vote during the twenty-second session. It would be the turn of the Latin America and Caribbean States Group to relinquish a seat on the Council in 2017.



IV. Election to fill a vacancy on the Legal and Technical Commission

5. At its 213th meeting, on 12 July, the Council elected Nobuyuki Okamoto (Japan) to fill the vacancy on the Legal and Technical Commission left by the resignation of Natsumi Kamiya (Japan), for the remainder of his term until 31 December 2016 ([ISBA/22/C/4](#)).

V. Report on the status of contracts for exploration and related matters and information on the periodic review of the implementation of plans of work for exploration

6. Also at its 213th meeting, on 12 July, the Council took note of the report of the Secretary-General on the status of contracts for exploration in the Area ([ISBA/22/C/5](#)). The Council was informed that, as at 27 April 2016, 24 contracts for exploration had entered into force (15 for polymetallic nodules, five for polymetallic sulphides and four for cobalt-rich ferromanganese crusts), while three further contracts would be signed by the end of 2016, bringing the total to 27 contracts.

7. At its 214th meeting, on 13 July, the Council considered the report of the Secretary-General on the periodic review of the implementation of the plans of work for exploration in the Area ([ISBA/22/C/7](#)). The Secretary-General reported that, in 2016, a periodic review was undertaken with respect to two exploration contracts for polymetallic nodules between the Authority and Nauru Ocean Resources Inc. and the Federal Institute for Geosciences and Natural Resources of Germany, respectively, and one exploration contract for polymetallic sulphides between the Authority and China Ocean Mineral Resources Research and Development Association. One delegation said that the periodic review was a valuable tool for the Authority in monitoring the implementation of the plans of work and the training programmes, as well as in monitoring the development of mining technology. The delegation welcomed the submission of an environmental inception report by Nauru Ocean Resources Inc. relating to a proposed test of a nodule collector.

VI. Report of the Secretary-General on the status of national legislation relating to deep seabed mining and related matters

8. Also at its 214th meeting, on 13 July, the Council considered the report of the Secretary-General on the status of national legislation relating to deep seabed mining and related matters ([ISBA/22/C/8](#)). In 2016, in response to the request of the secretariat of the Authority, Cuba and China submitted their respective national legislation. On 26 February 2016, China adopted the Law of the People's Republic of China on Exploration for and Exploitation of Resources in the Deep Seabed Area. The representative of France informed the Council that the French legislation on deep seabed mining was still under preparation. It would integrate the responsibilities and obligations of sponsoring States as identified in the 2011 advisory opinion. The

delegation of Tonga informed the Council that the country was in the process of completing draft regulations for the implementation of its Seabed Minerals Act 2014. Members who had not submitted their national legislation and related information were urged by the Council to do so at the earliest convenience.

VII. Report of the Finance Committee, budget of the Authority for the financial period 2017-2018 and scale of assessment for contributions to the budget

9. At its 215th meeting, on 14 July, the Council considered the report of the Finance Committee ([ISBA/22/A/7/Rev.1-ISBA/22/C/19/Rev.1](#)), the budget of the Authority for the financial period 2017-2018 and the scale of assessment for contributions to the budget. On the basis of the recommendations of the Finance Committee, the Council adopted a decision relating to the budget of the Authority for the financial period 2017-2018 ([ISBA/22/C/18](#)).

VIII. Report of the Chair of the Legal and Technical Commission on the work of the Commission

10. At its 216th and 217th meetings, on 15 July, the Council considered the summary report of the Chair of the Legal and Technical Commission on the work of the Commission during the twenty-second session ([ISBA/22/C/17](#)). The report covered the activities of the contractors, including the status of contracts for exploration, the implementation of training programmes and the allocation of training opportunities, applications for extensions of approved plans of work for exploration, annual reports of contractors and periodic reviews of the implementation of plans of work for exploration. It also covered the application for approval of a plan of work for exploration, environmental matters, draft regulations for the exploitation of mineral resources in the Area and a technical implementation plan for improved databases and a data management strategy for the Authority. The Chair also reported on matters referred to the Commission by the Council, including issues relating to the handling of confidential data and information, issues relating to the operation of the Enterprise, a stakeholder consultation and engagement strategy and issues relating to the sponsorship of contracts for exploration in the Area, monopolization, effective control and related matters. The Chair concluded his report by reporting on the consideration by the Commission of the interim report of the article 154 review committee.

11. Training opportunities offered by the contractors were commended by some delegations as demonstrating meaningful and practical capacity-building that would benefit developing countries. One delegation welcomed the possibility of 200 training opportunities being offered in the next few years and suggested that early notification about such opportunities would afford member States time to identify eligible candidates. One delegation hoped that the knowledge gained by those trained would be harnessed for future benefit.

12. Addressing the issue of the extension of contracts, one delegation reminded the Council that it was necessary to see the new elements included in the extended plans of work to ensure that contractors would be ready to proceed to exploitation at

the end of the five-year extensions. One delegation urged that the extended plans of work should stress exploitation sampling, with a view to moving to the exploitation phase. One delegation hoped to see more collaboration among contractors for the work on seabed mining in the next five years.

13. In respect of environmental matters, one delegation highlighted the importance of environmental management and protection, including the approaches chosen and methodologies of fauna preservation and taxonomy. One delegation supported the proposal to hold a workshop to review the Clarion-Clipperton Fracture Zone environmental management plan and urged the Authority, in its efforts to collect environmental data, to collaborate more closely with other organizations. On the data management strategy, one delegation welcomed the initiative of improved strategies proposed by a working group and a project to develop and strengthen data management by the Authority. One delegation hoped to see more transparency with regard to information.

14. At its 220th meeting, on 19 July, the Council adopted a decision relating to the summary report of the Chair of the Legal and Technical Commission on its work during the twenty-second session ([ISBA/22/C/28](#)).

IX. Consideration, with a view to approval, of applications for approval of plans of work for exploration in the Area

15. At its 218th meeting, on 18 July, the Council considered the report and recommendations of the Legal and Technical Commission relating to an application for the approval of a plan of work for exploration for cobalt-rich ferromanganese crusts submitted by the Government of the Republic of Korea ([ISBA/22/C/10](#)).

16. Acting on the recommendations of the Commission, the Council approved the application and requested that the Secretary-General issue the plan of work in the form of a contract between the Authority and the Government of the Republic of Korea ([ISBA/22/C/20](#)).

X. Consideration, with a view to approval, of applications for extensions of contracts for exploration

17. Also at its 218th meeting, on 18 July, the Council considered six reports and recommendations of the Legal and Technical Commission relating to six applications for a five-year extension of approved plans of work for exploration for polymetallic nodules. The applications had been submitted by Interoceanmetal Joint Organization ([ISBA/22/C/11](#)), Yuzhmorgeologiya ([ISBA/22/C/12](#)), the Government of the Republic of Korea ([ISBA/22/C/13](#)), China Ocean Mineral Resources Research and Development Association ([ISBA/22/C/14](#)), Deep Ocean Resources Development Co. Ltd. ([ISBA/22/C/15](#)) and the Institut français de recherche pour l'exploitation de la mer ([ISBA/22/C/16](#)).

18. At its 219th meeting, on 18 July, acting on the recommendations of the Commission, the Council approved all six applications for extensions of contracts for exploration. The decisions of the Council with respect to each application are contained in documents [ISBA/22/C/21](#) to [ISBA/22/C/26](#).

XI. Draft regulations for exploitation of mineral resources in the Area

19. At its 218th meeting, on 18 July, further to the general comments on the draft regulations for the exploration of mineral resources in the Area made at the 216th and 217th meetings when initially considering the report of the Chair of the Legal and Technical Commission, the Council considered the updated and indicative work programme as contained in annex II to the report ([ISBA/22/C/17](#)). Some delegations reaffirmed that the Commission must keep the matter as a priority (Australia, Cameroon and the United Kingdom of Great Britain and Northern Ireland). Two delegations emphasized the need to identify a better working methodology, including timelines and stakeholder contribution, to complete the priority matter (Cameroon and United Kingdom). One delegation stated that the draft regulations should be developed in an evolutionary manner as a systematic project involving many complex issues (China). One delegation felt that the views and prior experience in the respective geographic regions of the contractors should be given due consideration and that it would be desirable to strike a balance between the environmental impact and the technology development in the draft regulations (India). One delegation stressed the importance of having the involvement of stakeholders in the development of mining code (Mexico). One delegation emphasized that the focus should be on providing a coherent regulatory framework to make commercial decisions in relation to activities in the Area (Singapore). Two delegations proposed the development of a strategic plan identifying each step and including a target date for the development of exploitation regulations (United Kingdom and the Netherlands).

XII. Election of the members of the Legal and Technical Commission

20. At its 219th, 220th and 221st meetings, held on 18, 19 and 21 July, respectively, and its 222nd and 223rd meetings, held on 22 July, the Council considered the election of members of the Legal and Technical Commission for the period 2017-2021 ([ISBA/22/C/2](#) and [ISBA/22/C/2/Add.1](#)). The discussions focused on the number of members that should serve on the Commission and the geographical distribution of the membership. Some delegations suggested expanding the membership to 30 members in order to accommodate the 30 candidates whose nominations had been received on time. Others preferred to limit the number to 25, while remaining concerned over the issue of the underrepresentation of some regional groups. A third proposal sought to expand the Commission to 36 members to include the 30 nominated candidates, as well as two additional vacancies for each of the three underrepresented regional groups.

21. At its 223rd meeting, on 22 July, the Council adopted a decision relating to the election of members of the Commission ([ISBA/22/C/29](#)).

22. The delegation of Argentina, on behalf of the Latin American and Caribbean States Group, requested that the following statement be included in the summary report of the President:

First, we want to underline that there was no opportunity for dialogue before the presentation of a number of candidates exceeding 25. Moreover, we must

stress that no economy- or efficiency-based reasons were presented for the increase to 30 members, which should have been the case under article 163, paragraph 2 of the Convention. No logical reason was shown according to which the right number would be 30 and not a different number. The only rationale for the decision was to accommodate all the candidates presented. We think, as we have already said many times, that this decision affects the review process currently under way in accordance with article 154 of the Convention. Finally, we consider that the composition arising from the proposed election of the 30 candidates presented will not reflect an equitable geographical distribution in the Legal and Technical Commission, which should have been the case under article 163, paragraph 4, of the Convention.

XIII. Proposal to the Assembly of the Authority of a list of candidates for the position of Secretary-General

23. At its 219th meeting, on 18 July, the Council decided to propose two candidates to the Assembly of the Authority for election as Secretary-General, namely, Michael W. Lodge (United Kingdom) and Nii Allotey Odunton (Ghana) ([ISBA/22/C/27](#)).

XIV. Cooperation with other relevant international organizations

24. At its 214th meeting, on 13 July, the Council took note of the note by the Secretary-General on the Agreement of cooperation between the International Seabed Authority and the International Hydrographic Organization ([ISBA/22/C/6](#)), the annex to which contained the draft agreement. At the same meeting, the Council approved the Agreement.

XV. Issues associated with the conduct of marine scientific research in exploration areas

25. Also at its 214th meeting, on 13 July, the Council considered a report on issues associated with the conduct of marine scientific research in exploration areas ([ISBA/22/C/3](#)). One delegation highlighted the imbalance between the contractors and marine scientific researchers, particularly regarding their obligations in respect of marine environmental protection. One delegation suggested that, taking into consideration the potential conflict between the freedom of marine scientific research and exclusive rights for exploration and exploitation, regulations should be developed to draw a clear line where research interferes with contractors' rights. Some delegations hoped to find pragmatic approaches to solve those issues within the framework of the Authority, and two delegations further proposed that the Legal and Technical Commission could be asked to review the issue and provide recommendations to the Council. One delegation stated that such a situation could be effectively dealt with through communication and coordination in good faith between the parties concerned. One delegation stated that, while the Convention had struck a delicate balance between the freedom of marine scientific research and the activities of contractors in the Area, the principle of the common heritage of mankind should be kept in focus when interpreting the provisions. One delegation

felt that it would be useful for Council members to know what some of those encounters had involved and what practical problems had been faced on the ground thus far, whether by researchers, contractors or other stakeholders. One delegation highlighted the right to conduct marine scientific research in keeping with article 143 of the Convention. Many delegations indicated that it was premature to seek an advisory opinion from the Seabed Disputes Chamber of the International Tribunal of the Law of the Sea on the matter. It was agreed, however, that the issue should be kept on the agenda of the Council for further consideration in due course.

XVI. Dates of the next session of the Council

26. The dates for the twenty-third session of the Council will be announced in due time. It will be the turn of the Latin American and Caribbean States Group to nominate a candidate for the presidency of the Council in 2017.

CONSOLIDATED INDEX TO THE SELECTED DECISIONS AND DOCUMENTS OF THE INTERNATIONAL SEABED AUTHORITY

Documents of the International Seabed Authority begin with the letters "ISBA". Documents of the first two sessions do not have a sessional number (e.g. ISBA/A/1), but from the third session on they do (e.g. ISBA/3/A/1).

Formal Assembly and Council documents each appear in four series, -/ 1; -/L.1; -/WP.1; and -/INF.1, corresponding to main documents, documents with limited distribution, working papers and information papers respectively. In addition to A and C documents there are also the ISBA/FC (Finance Committee) and ISBA/LTC (Legal and Technical Commission) series.

The Authority does not keep verbatim or summary records of meetings. Sound recordings are made and retained by the Secretariat. Official accounts of the work of the Authority can be found in the successive statements of the Presidents of the Assembly and the Council on the work of their organs, and the annual reports of the Secretary-General.

The Authority publishes annually a compendium of selected decisions and documents from each session. This compendium is available online only from the eighteenth session onwards. These may be cited as, e.g. *Selected Decisions* 17, 1-25; and from the eighteenth session *Selected Decisions* 18, ISBA/18/A/2.

Indexes to the documents of the Authority are available in two formats; a consolidated subject index to the documents and a cumulative index which contains a complete list of documents of the Assembly and the Council from the first session (1994) to the twenty-first session (2015). The documents and indexes are also available in electronic format on the Authority's website at www.isa.org.jm.

The consolidated index below indicates the reference in the appropriate volume of the Selected Decisions.

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