



**Information Note on matters for consideration by the Council of the
International Seabed Authority during the first part of
the twenty-seventh session of the Authority**

I. Introduction

1. As scheduled in the roadmap on the work of the Draft regulations on exploitation of mineral resources in the Area during the twenty-seventh session in 2022 which the Council of the International Seabed Authority endorsed at its last meetings on 10 December 2021 (ISBA/26/C/13/Add.1), the twenty-seventh session of the Council will be held in three parts. For the first part (Part I session), the Council will hold ten meetings from 21 March to 1 April 2022, in a hybrid format, immediately after the one-week meeting of the Legal and Technical Commission. The second part of the session of the Council is scheduled to be held from 18 to 29 July 2022 while the third part (subject to resources) is tentatively scheduled to be held from 31 October to 11 November 2022.

2. The purpose of this note is to inform members and observers of the International Seabed Authority on matters for consideration by the Council at its forthcoming Part I session.

3. This note briefly describes the items of the provisional agenda of the Council (ISBA/27/C/L.1) for consideration at the Part I session in March. The provisional agenda, the indicative programme of work and all official documents prepared for the upcoming meetings have been placed on the Authority's website. This will continue to be updated as more documents become available.

4. This note is to be read in conjunction with the [note on administrative and procedural matters](#) including modalities for the in-person meetings. Pre-session documents for the Open-ended Working Group on financial aspects of a contract and for the three Informal Working Groups of the Council are also grouped for ease of reference on the page for the twenty-seventh session/Council/ top right menu.

II. Adoption of the agenda (item 2 of the provisional agenda)

5. The Council will open its session on Monday 21 March 2022. The first decision of the Council will be the adoption of its agenda for the three parts of the twenty-seventh session in 2022. For Part I session, a total of 11 items out of 21 currently listed on the provisional agenda of the Council will be considered by the Council as indicated on the indicative programme of work.

III. Elections of the bureau (items 3 and 4 of the provisional agenda)

6. Following the adoption of the agenda, the Council will proceed with the election of the bureau. Pursuant to rule 22 of the Rules of Procedure of the Council, each year at its first regular session, the Council elects a President and four Vice-Presidents from among its members, so that each regional group is represented by one officer. Members of the Council of the Authority are reminded that for the twenty-seventh session, it is the turn of the Eastern European Group to nominate a candidate for the presidency of the Council in 2022. In this regard, it would be very helpful to the Secretariat, and also so as to facilitate the smooth running of the session, if regional

groups could coordinate on the candidate nominations for these positions in advance of the opening of the session of the Council, and to provide this information to the secretary of the Council, Gwenaëlle Le Gurun at glegurun@isa.org.jm at the earliest available opportunity.

IV. Credentials (items of the provisional agenda)

7. Among the standing item of business for the Council is the report on credentials of members of the Council. The Secretary-General will provide orally a report on the credentials of members of the Council.

V. Election of members of the Legal and Technical Commission (item 6 of the provisional agenda)

8. The Council will continue consideration of this agenda item at the Part I session in March.

VI. Consideration, with a view to approval, of applications for a plan of work for exploration (item 8 of the provisional agenda)

9. The Legal and Technical Commission is considering an application for approval of a plan of work for exploration for polymetallic nodules in reserved areas in the Clarion-Clipperton Zone, submitted by Circular Metals Tuvalu Ltd., sponsored by Tuvalu. If the Commission makes a recommendation to the Council, the Council will have the opportunity to consider the matter. .

VII. Consideration, with a view to approval, of an application for extension of a contract for exploration (item 9 of the provisional agenda)

10. The Council will consider the application for a five-year extension of the contract for exploration for polymetallic nodules which was signed between the Government of India and the International Seabed Authority on 25 March 2002. The application has been placed on the provisional agenda of the Legal and Technical Commission for its meetings from 14 to 18 March 2022.

11. If the Commission makes a recommendation to the Council, the Council will have the opportunity to make a decision regarding the application, acting on those recommendations.

12. The Council will consider these applications in accordance with paragraphs 11 and 12 of section 3 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 in accordance with the Decision of the Council of 23 July 2015 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*).

13. Upon approval by the Council, a contract is to be extended by the execution by the Secretary-General and the authorized representative of the Contractor of an agreement in the form set out in Annex II of the Decision of the Council of 23 July 2015. The terms and conditions applicable to the contract during the extension period are the terms and conditions in force as at the date of the extension, pursuant to the relevant regulations.

VIII. Draft regulations on exploitation of mineral resources in the Area (item 11 of the provisional agenda)

14. The Council will continue its consideration of the Draft regulations on exploitation of mineral resources in the Area as a matter of priority. As agreed at the last meeting in December

2021, the Council will implement the roadmap for the work on the draft regulations during the twenty-seventh session, in 2022 (ISBA/26/C/13/Add.1, Annex).

15. Consideration will take place both in plenary and in an informal setting when the Open-ended Working Group in respect of the development and negotiation of the financial terms of a contract under article 13, paragraph 1, of annex III to the United Nations Convention on the Law of the Sea and section 8 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 and the three Informal Working Groups established by the Council in 2020 (ISBA/26/C/11) will meet. It is recalled that these groups will not meet in parallel.

16. All Facilitators of those Informal Working Groups have been appointed by their respective regional groups. Dr Taga (Fiji) is the Facilitator of the Informal Working Group on the Protection and Preservation of the Marine Environment, while Her Excellency Maureen Tamuno (Nigeria) is the Facilitator of the Informal Working Group on Inspection, Compliance and Enforcement and Her Excellencies Gina Guillén Grillo (Costa Rica) and Constanza Figueroa (Chile) are Co-Facilitators of the Informal Working Group on Institutional Matters.

17. It is also recalled that Dr Taga has already delivered the Facilitator's text on Parts IV and VI and related annexes (see ISBA/27/C/IWG/ENV/CRP.1) which she presented on 28 February 2022 during a webinar at which she received initial reactions from members of the Authority and observers as referred to in rule 82 of the Rules of Procedure of the Assembly. Dr Taga will prepare a summary of those initial reactions to be presented at the Council's meeting in March 2022.

18. The Chair of the Legal and Technical Commission will present to the Council the recommendations made by the Commission during the first part of the twenty-sixth session concerning matters covered under and Annex VI of the draft regulations (see ISBA/26/C/17). In particular, the Council will be invited:

(a) to take note that the approach reflected in draft regulation 30 was adequate for the moment;

(b) to consider the recommendation that the Council draw the attention of the Assembly to the need to encourage member States that have not yet done so, in particular sponsoring States, to become parties to the applicable international rules and standards established by competent international organizations, in particular the Maritime Labour Convention, 2006;

(c) to consider the proposal that the secretariat enter into discussions with ILO with a view to concluding a cooperation agreement between the Authority and the ILO to keep emerging issues concerning occupational health and safety for personnel involved in exploitation in the Area under review;

(d) to consider annex VI in the annex to the Commission's note as part of the Draft Regulations.

19. The Council will receive a report of the Chair of the Legal and Technical Commission summarising stakeholder feedback on the phase one draft standards and guidelines (see ISBA/27/C/2). The Commission has submitted the phase one draft standards and guidelines contained in documents ISBA/27/C/3-ISBA/27/C/12 for the consideration of the Council.

20. After having received these Commission's recommendations, the first decision the Council will thus need to make concerns the organization of its work for the year 2022. This includes the division of work between the plenary and the working groups subject to further refinement as work progresses over the year and the modalities of work within the working

groups. In that regard, the Council will benefit from the views of the Facilitators and Co-Facilitators on their suggested allocation of work for their groups, including the various Parts, Annexes and Appendices of the Draft Regulations, but also the preliminary distribution of phase one draft standards and guidelines from, bearing in mind the time allocated to the various groups by the roadmap for the March session.

21. By the end of the second week, the Council will receive oral reports from the Chair of the Open-ended Working Group and from the Facilitators and Co-Facilitators. The Council will then review the progress made on the roadmap and agree on the intersessional work.

IX. Report of the Chair of the Legal and Technical Commission on the work of the Commission at the first part of its twenty-seventh session (item 14 of the provisional agenda)

22. The Council will receive the report of the Chair of the Legal and Technical Commission on the work carried out during the meetings of the Commission immediately prior to the Part I session of the Council. The Council will consider and take any action on any specific recommendations made by the Commission.

23. An addendum to the Chair's report will be issued at the end of the Commission's July meetings. The Council will be invited to adopt a decision on matters raised in that report and its addendum during its Part II session in July.

X. Report on matters relating to the Enterprise (item 18 of the provisional agenda)

24. The Council will receive a report by the Special Representative of the Secretary-General for the Enterprise whose mandate was extended until the end of the twenty-seventh session by Decision of the Council of 10 December 2021 relating to the reports of the Chair of the Legal and Technical Commission. The report is contained in the document ISBA/27/C/14. The report has been prepared to provide background information for consultations regarding the appointment of an Interim Director-General for the Enterprise as part of the step-by-step approach provided for the operationalization of the Enterprise 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.