

MATRIX OF RIGHTS AND OBLIGATIONS OF THE INTERNATIONAL SEABED AUTHORITY AND THE SPONSORING STATE
PREPARED BY THE ISA SECRETARIAT¹

CONTENTS

EXPLANATORY NOTES:	2
TABLE A OBLIGATIONS OF CO-OPERATION	3
TABLE B: SPONSORSHIP	5
TABLE C: FINANCIAL AND TECHNICAL CAPABILITIES	7
TABLE D: OBLIGATION TO PROTECT THE MARINE ENVIRONMENT FROM HARMFUL EFFECTS OF ACTIVITIES IN THE AREA	8
TABLE E: COASTAL STATE RIGHTS AND LEGITIMATE INTERESTS	16
TABLE F: HUMAN REMAINS AND OBJECTS AND SITES OF AN ARCHAEOLOGICAL AND HISTORICAL NATURE	20
TABLE G: ACCOMMODATION OF ACTIVITIES IN THE AREA	21
TABLE H: INCIDENTS AND NOTIFIABLE EVENTS	23
TABLE I: MONITORING OF CONTRACTORS THROUGH REPORTING OBLIGATIONS	26
TABLE J: INSPECTIONS	29
TABLE K: CONTRACTOR'S NON-COMPLIANCE	34
TABLE L: OBLIGATIONS AFTER NOTICE OF SPONSORSHIP AND TERMINATION OF CONTRACT	42

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EXPLANATORY NOTES

1. This Matrix is organized into (a) Contractor's obligations; (b) ISA's rights and obligations and (c) sponsoring State's rights and obligations.
2. The source of these rights are:
 - The UN Convention on the Law of the Sea (UNCLOS) and the 1994 Agreement relating to the Implementation of UNCLOS;
 - The Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area, Regulations on Prospecting and Exploration for Polymetallic Sulphides in the Area, Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area;
 - Draft Regulations on Exploitation of Mineral Resources in the Area.
3. The following abbreviations are used:

1982 UN Convention on the Law of the Sea	UNCLOS
1994 Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982	1994 Agreement
Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area	PMN
Regulations on Prospecting and Exploration for Polymetallic Sulphides in the Area	PMS
Regulations on Prospecting for Cobalt-rich Ferromanganese Crusts in the Area	CFC
Draft Regulations on Exploitation of Mineral Resources in the Area	DR
International Seabed Authority	ISA
Sponsoring State	SS
ISA Secretary-General	SG
Legal and Technical Commission	LTC
Responsibilities and obligations of States with respect to activities in the Area, Advisory Opinion, 1 February 2011, ITLOS Reports	AO

TABLE A: OBLIGATIONS OF CO-OPERATION			
a. Contractor	b. ISA	c. Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
		SS shall assist the ISA in its task of controlling activities in the Area for the purpose of ensuring compliance with the relevant provisions of Part XI and related instruments [UNCLOS, Art 153 (4), AO, para. 124]	
SS, Contractor, member States of ISA, other interested States and entities shall co-operate with the ISA in the establishment and implementation of monitoring and evaluating the impacts of activities in the Area [PMN, Reg 31 (6); PMS, Reg 33 (6) CFC, Reg 33 (6)]	SS, Contractor, member States of ISA, other interested States and entities shall co-operate with the ISA in the establishment and implementation of monitoring and evaluating the impacts of activities in the Area [PMN, Reg 31 (6); PMS, Reg 33 (6) CFC, Reg 33 (6);	SS, Contractor, member States of ISA, other interested States and entities shall co-operate with the ISA in the establishment and implementation of monitoring and evaluating the impacts of activities in the Area [PMN, Reg 31 (6); PMS, Reg 33 (6) CFC, Reg 33 (6)]	SS obligation to ensure compliance by the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 – 106]
	ISA required to consult and co-operate with SS, flag States, competent international organizations and other relevant bodies as appropriate to develop measures to promote the health and safety of life at sea; and exchange information and data to facilitate compliance with and enforcement of applicable international rules and standards [DR, Reg 3 (d)]	ISA required to consult and co-operate with SS, flag States, competent international organizations and other relevant bodies as appropriate to develop measures to promote the health and safety of life at sea; and exchange information and data to facilitate compliance with and enforcement of applicable international rules and standards [DR, Reg 3 (d)]	
	ISA required to cooperate with SS and flag State towards the avoidance of unnecessary duplication of administrative procedures and compliance requirements DR Reg 3 (b)]	SS required to cooperate with ISA and flag State towards the avoidance of unnecessary duplication of administrative procedures and compliance requirements [DR, Reg 3 (b)]	

TABLE A: OBLIGATIONS OF CO-OPERATION			
a. Contractor	b. ISA	c. Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
SS, Contractor, member States of ISA, other interested States and entities shall co-operate with the ISA in the establishment and implementation of monitoring and evaluating the impacts of activities in the Area [DR Reg 3 (e)]	SS, Contractor, member States of ISA, other interested States and entities shall co-operate with the ISA in the establishment and implementation of monitoring and evaluating the impacts of activities in the Area [DR Reg 3 (e)]	SS, Contractor, member States of ISA, other interested States and entities shall co-operate with the ISA in the establishment and implementation of monitoring and evaluating the impacts of activities in the Area [DR Reg 3 (e)]	SS obligation to ensure compliance by the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 – 106; DR Reg 105]
SS, Contractor, member States of ISA, other interested States and entities shall share the findings and results of such monitoring programmes with the ISA and extend such co-operation to the implementation and further development of Best Environmental Practices [DR, Reg 3 (e)]	SS, Contractor, member States of ISA shall share the findings and results of such monitoring programmes with the ISA and extend such co-operation to the implementation and further development of Best Environmental Practices [DR, Reg 3 (e)]	SS, Contractor, member States of ISA, other interested States and entities shall share the findings and results of such monitoring programmes with the ISA and extend such co-operation to the implementation and further development of Best Environmental Practices [DR, Reg 3 (e)]	SS obligation to ensure compliance by the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 – 106; DR Reg 105]
Contractors, Member States of ISA (including SS) obliged to use their best endeavours, in conjunction with the ISA to cooperate with each other as well as with other contractors and national and international scientific research and technology development agencies on a range of issues [DR, Reg 3 (f)]	Contractors, Member States of ISA (including SS) obliged to use their best endeavours, in conjunction with the ISA to cooperate with each other as well as with other contractors and national and international scientific research and technology development agencies on a range of issues [DR, Reg 3 (f)]	Contractors, Member States of ISA (including SS) obliged to use their best endeavours, in conjunction with the ISA to cooperate with each other as well as with other contractors and national and international scientific research and technology development agencies on a range of issues [DR, Reg 3 (f)]	SS obligation to ensure compliance by the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 – 106; DR Reg 105]

TABLE B: SPONSORSHIP			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
Contractor Obligation to obtain sponsorship of UNCLOS [UNCLOS, Art 153 (2) (b); Annex III, Article 4 (3)]		Each applicant shall be sponsored by the State Party of which it is a national unless the applicant has more than one nationality, as in the case of a partnership or consortium of entities from several States, in which event all States Parties involved shall sponsor the application, or unless the applicant is effectively controlled by another State Party or its nationals, in which event both States Parties shall sponsor the application [UNCLOS, Annex III, Art. 4 (3); AO, para. 74]	
Requirement that applications by State enterprises, natural or juridical persons contain sufficient information to determine the nationality of applicant or by whose nationals the applicant is effectively controlled as well as place of business [PMN, Reg 10 (3); PMS, Reg 10 (3); CFC, Reg 10 (3)]	Obligation of ISA to establish criteria and procedures for implementation of sponsorship requirements in rules, regulations & procedures [UNCLOS, Annex III, Art. 4 (1), (3); PMN, Annex II paras. 13-16; PMS, Annex II paras. 13-16; CFC, Annex II paras. 13-16]		
	LTC to determine whether applicant has fulfilled requirements [PMN, Reg 23 (1) (a); PMS, Reg 23 (3)(a); CFC, Reg 23 (3(a))]		
Requirement that applications by State enterprises, natural or juridical persons contain sufficient information to determine the	LTC to determine whether applicant has fulfilled requirements [DR Reg 13 (1)]	SS obligation to issue a Certificate of Sponsorship with requisite information set out in Regulations [DR Reg 6; AO, paras. 74 and 78]	SS obligation to ensure compliance by the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal

TABLE B: SPONSORSHIP			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
nationality of applicant or by whose nationals the applicant is effectively controlled as well as place of business and the place of registration, if applicable [DR Reg 5 (3)]			Systems [AO, para. 103 – 106; DR Reg 105]

TABLE C: FINANCIAL AND TECHNICAL CAPABILITIES			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
Applicants to Comply with ISA Rules, Regulations and Procedures on Financial and [PMN, Reg 12; PMS, Reg 13; CFC, Reg 13]	LTC to determine if applicant possesses the necessary financial and technical capabilities [PMN Reg 21 (3) (c); PMS, Reg 23 (3) (c); CFC, Reg 23] (3) (c)]	SS Obligation to provide a statement that a State enterprise has necessary financial resources to meet the estimated costs of the proposed plan of work [PMN, 12(3); PMS/CFC Reg 13 (3)]	SS obligation to ensure compliance by the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 – 106] SS may find it necessary, depending upon its legal system, to include in its domestic law provisions which may concern financial viability and technical capacity of sponsored contractors [AO, para. 234]
Applicants to Comply with ISA Rules, Regulations and Procedures on Financial and Technical Capabilities [DR, Annex I, Section III (Technical Information) and Section IV (Financial Information)]	LTC to determine if prospective Contractor possesses the necessary financial and technical capabilities [DR Reg 13 (2) and (3)]	SS Obligation to provide a statement certifying that a State enterprise has necessary financial resources to meet the estimated costs of the proposed plan of work [DR Annex I, Section IV, Section 21 (b)]	SS obligation to ensure compliance by the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 – 106; DR Reg 105]

TABLE D: OBLIGATION TO PROTECT THE MARINE ENVIRONMENT FROM HARMFUL EFFECTS OF ACTIVITIES IN THE AREA

General Obligation to Protect the Marine Environment			
Contractor	ISA	Sponsoring State	
		Direct Obligation	Obligation to Ensure Compliance
Contractor's General Obligation to Protect and Preserve the Marine Environment [PMN, Reg 31 (5); PMS, Reg 33 (5); CFC, Reg 33 (5); PMN/PMS/CFC, Annex IV, Section 5.1; DR, Reg 44 and Part IV generally]	ISA shall adopt rules, regulations and procedures to prevent, reduce and control pollution of the marine environment from activities in the Area and keep under periodic review [UNCLOS, Art. 145; Art 209 (1); PMN, Reg 33 (1); PMS, Reg 33 (1); CFC Reg 33 (1); DR, Reg 44 (1)]	General obligation on SS to protect and preserve marine environment [UNCLOS, Art. 192]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR, Regulation 105; SDC AO, para. 103 - 106]
	<p>ISA shall adopt rules, regulations and procedures relating to:</p> <ul style="list-style-type: none"> - Prevention, reduction and control of pollution and other hazards to the marine environment, including the coastline, and of interference with the ecological balance of the marine environment, particular attention being paid to the need for protection from harmful effects such as drilling, dredging, excavation, disposal of waste, construction and operation or maintenance of installations, pipelines and other devices related to such activities [UNCLOS, Art 145 (a)] - the protection and conservation of the natural resources of the Area and the prevention of damage to the flora and fauna of 	<p>SS Obligation to take measures to prevent, reduce and control pollution from any source including from pollution from installations, vessels flying its flag and other devices operating in the marine environment:</p> <ul style="list-style-type: none"> - Adopt measures relating to minimizing to the fullest possible extent inter alia pollution from installations and devices operating in the marine environment, in particular measures for preventing accidents and dealing with emergencies, ensuring the safety of operations at sea, and regulating the design, construction, equipment, operation and manning of such installations or devices [UNCLOS, Art. 194 (3) (d)] - Measures relating to prevention, reduction and control of pollution 	

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General Obligation to Protect the Marine Environment			
Contractor	ISA	Sponsoring State	
		Direct Obligation	Obligation to Ensure Compliance
	<p>the marine environment [UNCLOS, Art. 145 (b)]</p> <ul style="list-style-type: none"> - mining standards and practices, including those relating to operational safety, conservation of the resources and the protection of the marine environment [UNCLOS, Annex III, Art. 17 (1) (b) (xii)] - harmful effects directly resulting from activities in the Area or from shipboard processing immediately above a mine site of minerals derived from that mine site, taking into account the extent to which such harmful effects may directly result from drilling, dredging, coring and excavation and from disposal, dumping and discharge into the marine environment of sediment, wastes or other effluents [UNCLOS, Annex III, Art. 17 (2) (f)] 	<p>of the marine environment from activities in the Area undertaken by vessels, installations, structures and other devices flying their flag or of their registry or operating under their authority, as the case may be. The requirements of such laws and regulations shall be no less effective than the international rules, regulations and procedures referred to in paragraph 1 [UNCLOS, Art. 209 (2); DR, Reg 44]</p> <ul style="list-style-type: none"> - Measures can be more stringent than ISA rules, regulations and procedures of the ISA [UNCLOS, Annex III, Art. 21 (3)] 	
	<p>The Council shall disapprove areas for exploitation by contractors or the Enterprise in cases where substantial evidence indicates the risk of serious harm to the marine environment [UNCLOS, Art. 162 (2) (x)]</p>		

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General Obligation to Protect the Marine Environment			
Contractor	ISA	Sponsoring State	
		Direct Obligation	Obligation to Ensure Compliance
	<p>The LTC shall (a) make recommendations to the Council on the protection of the marine environment, taking into account the views of recognized experts in that field; and (b) make recommendations to the Council to disapprove areas for exploitation by contractors or the Enterprise in cases where substantial evidence indicates the risk of serious harm to the marine environment [UNCLOS, Arts 165 (2) (e) and (f); PMN, Reg 31 (4); PMS, Reg 33 (4); CFC, Reg 33 (4)]</p>		
	<p>The Authority shall consult and cooperate with sponsoring States, flag States, competent international organizations and other relevant bodies as appropriate, to develop measures to:</p> <p>(i) Promote the health and safety of life and property at sea and the protection of the Marine Environment; and</p> <p>(ii) Exchange information and data to facilitate compliance with and enforcement of applicable international rules and standards [DR, Reg 3 (d)]</p>	<p>The Authority shall consult and cooperate with sponsoring States, flag States, competent international organizations and other relevant bodies as appropriate, to develop measures to:</p> <p>(i) Promote the health and safety of life and property at sea and the protection of the Marine Environment; and</p> <p>(ii) Exchange information and data to facilitate compliance with and enforcement of applicable international rules and standards [DR, Reg 3 (d)]</p>	

TABLE D: OBLIGATION TO PROTECT MARINE ENVIRONMENT FROM HARMFUL EFFECTS OF ACTIVITIES IN THE AREA

Precautionary Approach and Best Environmental Practices			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Contractor's Obligation to Apply Precautionary Approach, best available techniques and best environmental practices [PMN, Reg 31 (5); PMS, Reg 33 (5); CFC, Reg 33 (5); PMN/PMS/CFC, Annex IV (Standard Terms), Section 5.1; DR, Regulation 44 (a)]	ISA obligation to apply precautionary approach as reflected in principle 15 of Rio Declaration, best available techniques and best environmental practices [PMN, Reg 31 (2); PMS, Reg 33 (2); CFC, Reg 33 (2); DR, Reg 44 (a) – (c)]	<p>SS Obligation to apply precautionary approach as reflected in principle 15 of Rio Declaration, best available techniques and best environmental practices [PMN, Reg 31 (2); PMS, Reg 33 (2); CFC, Reg 33 (2); DR, Reg 44 (a) – (c)]</p> <p>Application of precautionary approach is both a direct obligation and an integral part of SS obligation of due diligence which is applicable outside the regulations. [AO, paras. 125 – 135]</p> <p>SS obligation to apply best environmental practices is a direct obligation [AO, paras 136 – 137]</p>	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR, Reg 105; AO, para. 103 - 106]

TABLE D: OBLIGATION TO PROTECT MARINE ENVIRONMENT FROM HARMFUL EFFECTS OF ACTIVITIES IN THE AREA

Environmental Impact Assessment (Pre-Contract)			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Application for approval of a plan of work shall be accompanied by an assessment of the potential environmental impacts of proposed activities in accordance with rules, regulations and procedures of the ISA [1994 Implementation Agreement, Annex, Section 1 (7)]	<p>LTC shall prepare assessments of the environmental implications of activities in the Area [UNCLOS, Art. 165 (2) (d)]</p> <p>LTC shall formulate and submit to Council rules, regulations and procedures on prospecting, exploration and exploitation which shall take into account all relevant factors including assessments of the environmental implications of activities in the Area [UNCLOS, Art. 165 (2) (f)]</p>	Obligation of SS to, as far as practicable, assess the potential effects of planned activities under its jurisdiction and control that may cause substantial pollution of or significant and harmful changes to the marine environment and communicate the results of such assessments [UNCLOS, Art. 206; AO paras. 124 and 145 – 146]	SS has a due diligence obligation to ensure compliance by the prospective Contractor with its obligation to provide an assessment of the potential environmental impacts of the proposed activities under a plan of work [AO, para. 141; DR Reg 105]
Applicant to submit a preliminary assessment of possible impact of proposed exploration activities on the marine environment [PMN, Reg 18 (1) (c); PMS, Reg 20 (1) (c); CFC, Reg 20 (1) (c)]	LTC to determine whether plan of work provides for effective protection and preservation of marine environment [PMN, Reg 21 (4); PMS, Reg 23 (4) (b); CFC, Reg 23 (4) (b)]		
Applicant is required to submit an Environmental Impact Statement, Environmental Management and Monitoring Plan and a Closure Plan [DR, Reg 7 (3) (d) (h) and (i), Reg 47, Reg 48, Reg 59]	<p>Secretary-General Obligation to Place Environmental Plans on Website for Stakeholder Review & Compile Comments for Prospective Contractor [DR, Reg 11 (1) and (2)]</p> <p>LTC Obligation to Examine and Report on Environmental Plans and Make Recommendations to Council:</p>		SS has a due diligence obligation to ensure compliance by the Contractor with its obligation to provide an assessment of the potential environmental impacts of the proposed activities under a plan of work [AO, para. 141]

TABLE D: OBLIGATION TO PROTECT MARINE ENVIRONMENT FROM HARMFUL EFFECTS OF ACTIVITIES IN THE AREA

Environmental Impact Assessment (Pre-Contract)			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	Environmental Plans to be commented upon by ISA Members, Stakeholders, LTC and Secretary-General and then by prospective Contractor. LTC to provide report on Environmental Plans and make recommendations to Council [DR, Reg 11 (5); Reg 13 (4) (e)]		
Environmental Impact Assessment (Post-Contract but Prior to Exploration)			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Contractor's obligation to submit an EIA to ISA prior to the commencement of exploration activities [PMN/PMS/CFC, Annex IV (Standard Clauses) Section 5.1]	<p>LTC shall prepare assessments of the environmental implications of activities in the Area [UNCLOS, Art. 165 (2) (d)]</p> <p>LTC shall formulate and submit to Council rules, regulations and procedures on prospecting, exploration and exploitation which shall take into account all relevant factors including assessments of the environmental implications of activities in the Area [UNCLOS, Art. 165 (2) (f)]</p>	Obligation of SS to, as far as practicable, assess the potential effects of planned activities under its jurisdiction and control that may cause substantial pollution of or significant and harmful changes to the marine environment and communicate the results of such assessments [UNCLOS, Art. 206; AO paras. 124 and 145 – 146]	SS has a due diligence obligation to ensure compliance by the Contractor with its obligation to provide an assessment of the potential environmental impacts of the proposed activities under a plan of work [AO, para. 141]

TABLE D: OBLIGATION TO PROTECT MARINE ENVIRONMENT FROM HARMFUL EFFECTS OF ACTIVITIES IN THE AREA

Monitoring of Environmental Effects of Activities in the Area			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
	LTC Obligation to Recommend to the Council an Environmental Monitoring Programme: [UNCLOS, Art. 165 (2) (h)]	SS obligation to, consistent with the rights of other States, endeavour, as far as practicable, directly or through the competent international organizations, to observe, measure, evaluate and analyse, by recognized scientific methods, the risks or effects of pollution of the marine environment [UNCLOS, Art. 204]	
Contractor's Obligation to gather environmental data, establish environmental baselines and establish a monitoring programme under Exploration Contract [PMN Reg 32 (1); PMS Reg 34 (1); CFC Reg 34 (1)]	LTC empowered to issue recommendations to the Council on development of monitoring programmes [PMN Reg 32 (1) and 39; PMS Reg 34 (1) and 41; CFC Reg 34 (1) and 41]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106]
Contractor's Obligation to report on implementation and results of monitoring programme under Exploration Contract to SG [PMN Reg 32 (2); PMS Ref 34 (2); CFC Reg 34 (2); PMN/PMS/CFC, Annex IV Section 5.4, 5.5, 10.2]	SG to receive annual report from Contractor and to transmit to LTC for consideration [PMN Reg 32 (2); PMS Reg 34 (2); CFC, Reg 34 (2)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106]
Contractor's Obligation to Co-operate with ISA & sponsoring State on establishment in establishment and implementation of monitoring obligations [PMN, Regs 31 (6), 32 (1); PMS, Regs 33 (6) and 34 (1), CFC Regs 33 (6) and 34 (1)]		SS Obligation to Co-operate with ISA & Contractor on establishment in establishment and implementation of monitoring obligations [PMN, Regs 31 (6), 32 (1); PMS, Regs 33 (6) and 34 (1), CFC Regs 33 (6) and 34 (1)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 103 - 106]

TABLE D: OBLIGATION TO PROTECT MARINE ENVIRONMENT FROM HARMFUL EFFECTS OF ACTIVITIES IN THE AREA

Monitoring of Environmental Effects of Activities in the Area			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
Applicant's Obligation to Prepare Environmental Management and Monitoring Plan as part of application for Exploitation Contract [DR Regs 7 (h) and 48]	LTC to review Contractor's Environmental Management and Monitoring Plan [DR, Regs 13 (4) (e) and 48]		SS Obligation to Ensure Compliance of the Sponsored Entity by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 103 - 106]
Contractor's Obligations on Environmental Management and Monitoring Plan including reporting annually on the Environmental Effects of its exploitation activities on the marine environment and carrying out performance assessments [DR Regs 51 and 52]	LTC to review Annual Report and Performance Assessments on Environmental Management and Monitoring Plan and report to Council [DR Regs 52 (4) and (9)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 103 - 106]
Contractor's Obligation to Co-operate with ISA and sponsoring State in establishment and implementation of monitoring obligations and share the findings and extend co-operation and collaboration with ISA to further develop Best Environmental Practices [DR Reg 3 (e)]			SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR, Reg 105; AO, para. 103 - 106]

TABLE E: COASTAL STATE RIGHTS AND LEGITIMATE INTERESTS			
Resource Deposits in the Area which Lies Across the Limits of National Jurisdiction			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
Activities in the Area, with respect to resource deposits in the Area, which lie across limits of national jurisdiction shall be conducted with due regard to the rights and legitimate interests of any coastal State whose jurisdiction such deposits lie [UNCLOS, Art. 142 (1) and (2)]	Activities in the Area, with respect to resource deposits in the Area, which lie across limits of national jurisdiction shall be conducted with due regard to the rights and legitimate interests of any coastal State whose jurisdiction such deposits lie [UNCLOS, Art. 142 (1) and (2)]	Activities in the Area, with respect to resource deposits in the Area, which lie across limits of national jurisdiction shall be conducted with due regard to the rights and legitimate interests of any coastal State whose jurisdiction such deposits lie [UNCLOS, Art. 142 (1) and (2)]	
Regulations shall not affect the rights of coastal States in accordance with article 142 and other relevant provisions of UNCLOS [PMN Reg 34 (1); PMS Reg 36 (1); CFC Reg 36 (1)]	Regulations shall not affect the rights of coastal States in accordance with article 142 and other relevant provisions of UNCLOS [PMN Reg 34 (1); PMS Reg 36 (1); CFC Reg 36 (1)]	Regulations shall not affect the rights of coastal States in accordance with article 142 and other relevant provisions of UNCLOS [PMN Reg 34 (1); PMS Reg 36 (1); CFC Reg 36 (1)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106]
Regulations shall not affect the rights of coastal States in accordance with article 142 and other relevant provisions of UNCLOS [DR Reg 4 (1)]	Regulations shall not affect the rights of coastal States in accordance with article 142 and other relevant provisions of UNCLOS [DR Reg 4 (1)]	Regulations shall not affect the rights of coastal States in accordance with article 142 and other relevant provisions of UNCLOS [DR Reg 4 (1)]	Regulations shall not affect the rights of coastal States in accordance with article 142 and other relevant provisions of UNCLOS [DR Reg 4 (1)]

TABLE E: COASTAL STATE RIGHTS AND LEGITIMATE INTERESTS

Protection of the Marine Environment of the Coastal State			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Neither this Part nor any rights granted or exercised pursuant thereto shall affect the rights of coastal States to take such measures consistent with the relevant provisions of Part XII as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline, or related interests from pollution or threat thereof or from other hazardous occurrences resulting from or caused by any activities in the Area [UNCLOS, Art. 142 (3)]	Neither this Part nor any rights granted or exercised pursuant thereto shall affect the rights of coastal States to take such measures consistent with the relevant provisions of Part XII as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline, or related interests from pollution or threat thereof or from other hazardous occurrences resulting from or caused by any activities in the Area [UNCLOS, Art. 142 (3)]	Neither this Part nor any rights granted or exercised pursuant thereto shall affect the rights of coastal States to take such measures consistent with the relevant provisions of Part XII as may be necessary to prevent, mitigate or eliminate grave and imminent danger to their coastline, or related interests from pollution or threat thereof or from other hazardous occurrences resulting from or caused by any activities in the Area [UNCLOS, Art. 142 (3)]	
Contractor to take all measures necessary to ensure that activities are conducted so as not to cause serious harm to the marine environment under the jurisdiction or sovereignty of coastal States and that such serious harm or pollution arising from incidents or activities does not spread into areas under coastal State jurisdiction or sovereignty [PMN Reg 34 (4); PMS Reg 36 (4); CFC Reg 36 (4)]			SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR, Reg 105; AO, para. 103 - 106]
Contractor Right to submit own observations to SG within a	SG obligation to inform SS and Contractor of coastal State notification of harm to environment	SS right to submit observations to SG within a reasonable time [PMN Reg	

TABLE E: COASTAL STATE RIGHTS AND LEGITIMATE INTERESTS			
Protection of the Marine Environment of the Coastal State			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
reasonable time [PMN Reg 34 (2); PMS Reg 36 (2); CFC Reg 36 (2)]	and give SS and Contractor reasonable opportunity to examine evidence [PMN Reg 34 (2); PMS Reg 36 (2); CFC Reg 36 (2)]	34 (2); PMS Reg 36 (2); CFC Reg 36 (2)]	
	SG right to take immediate measures of a temporary nature under Exploration Regulations [PMN Reg 34 (3); PMS Reg 36 (3); CFC Reg 36 (3)]		
Contractor to take all measures necessary to ensure that activities are conducted so as not to cause serious harm to the marine environment under the jurisdiction or sovereignty of coastal States and that such serious harm or pollution arising from incidents or activities does not spread into areas under coastal State jurisdiction or sovereignty [DR Reg 4 (2)]	SG obligation to inform LTC, SS and Contractor of coastal State notification of serious harm or threat of serious harm to environment and give SS and Contractor reasonable opportunity to examine evidence [DR Reg 4 (3)]	SS right to submit observations to SG within a reasonable time [DR Reg 4 (3)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR, Reg 105; AO, para. 103 - 106]
Contractor Right to submit own observations to SG within a reasonable time [DR Reg 4 (3)]	LTC to determine whether serious harm to the marine environment is likely to occur and shall recommend that Council issue an emergency order [DR Reg 4 (4)]		
	LTC to determine that serious harm or threat of serious harm to the marine environment is attributable to Contractor's breach of Exploitation Contract [DR Reg 4 (5)]		

TABLE E: COASTAL STATE RIGHTS AND LEGITIMATE INTERESTS			
Protection of the Marine Environment of the Coastal State			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	SG to issue a compliance notice or direct an inspection if LTC determines that serious harm or threat of serious harm to the marine environment is attributable to Contractor's breach of Exploitation Contract [DR Reg 4 (5)]		

TABLE F: HUMAN REMAINS AND OBJECTS AND SITES OF AN ARCHAEOLOGICAL AND HISTORICAL NATURE

Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
All objects of an archaeological and historical nature found in the Area shall be preserved or disposed of for the benefit of mankind as a whole, particular regard being paid to the preferential rights of the State or country of origin, or the State of cultural origin, or the State of historical and archaeological origin [UNCLOS, Art 149]	All objects of an archaeological and historical nature found in the Area shall be preserved or disposed of for the benefit of mankind as a whole, particular regard being paid to the preferential rights of the State or country of origin, or the State of cultural origin, or the State of historical and archaeological origin [UNCLOS, Art 149]	All objects of an archaeological and historical nature found in the Area shall be preserved or disposed of for the benefit of mankind as a whole, particular regard being paid to the preferential rights of the State or country of origin, or the State of cultural origin, or the State of historical and archaeological origin [UNCLOS, Art 149]	
Contractor's obligation to immediately notify the SG of human remains and objects of an historical or archaeological nature in Exploration Area [PMN Reg 35; PMS Reg 37; CFC Reg 37]	SG Obligation to transmit information to Director-General of UNESCO and other competent international organizations [PMN Reg 35; PMS Reg 37; CFC Reg 37]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106]
Contractor Obligation not to explore within reasonable radius until Council decides otherwise [PMN Reg 35; PMS Reg 37; CFC Reg 37]	Council to take a decision after taking into account the views of the Director-General of UNESCO or any other competent international organization [PMN Reg 35; PMS Reg 37; CFC Reg 37]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106]
Contractor's obligation to immediately notify the SG of human remains and objects and sites of an historical or archaeological nature in Exploitation Area [DR Reg 35]	SG Obligation to transmit information to SS, origin State, Director-General of UNESCO and other competent international organizations [DR Reg 35]	SS right to receive information on findings of human remains and objects and sites of an historical or archaeological nature in Exploitation Area from SG [DR Reg 35]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106; DR Reg 105]
	Council to take a decision after taking into account the views of origin State the Director-General of UNESCO or any other competent international organization DR Reg 35]		

TABLE G: ACCOMMODATION OF ACTIVITIES IN THE AREA

Activities in the Area shall be carried out with reasonable regard for other activities in the marine environment			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Activities in the Area shall be carried out with reasonable regard for other activities in the marine environment. [UNCLOS, Article 147 (1)]	Activities in the Area shall be carried out with reasonable regard for other activities in the marine environment. [UNCLOS, Article 147 (1)]	Activities in the Area shall be carried out with reasonable regard for other activities in the marine environment. [UNCLOS, Article 147 (1)]	
Regulations shall not affect freedom of scientific research or restrict freedom of the high seas [PMN/PMS/CFC Reg 1 (4)]	Regulations shall not affect freedom of scientific research or restrict freedom of the high seas [PMN/PMS/CFC Reg 1 (4)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO para. 103 - 106]
Contractor's obligations under Exploration Contract to conduct activities in the Area with reasonable regard for other activities in the marine environment [PMN/PMS/CFC Annex IV, Standard Terms, Section 13.3 (c)]			SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO para. 103 - 106]
Contractor's obligations under Exploitation Contract to conduct activities in the Area with reasonable regard for other activities in the marine environment [DR Reg 31 (1)]	LTC obligation under DR to determine if the proposed Plan of Work provides for Exploitation activities to be carried out with reasonable regard for other activities in the Marine Environment, including, but not limited to, navigation, the laying of submarine cables and pipelines, fishing and marine scientific research, as referred to in article 87 of the Convention [DR Reg 13 (4) (d)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO para. 103 – 106; DR Reg 105]

TABLE G: ACCOMMODATION OF ACTIVITIES IN THE AREA

Activities in the Area shall be carried out with reasonable regard for other activities in the marine environment			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Other activities in the marine environment shall be conducted with reasonable regard for activities in the Area			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	Other Activities in the marine environment shall be conducted with reasonable regard for activities in the Area [UNCLOS Art 147 (3)]	Other Activities in the marine environment shall be conducted with reasonable regard for activities in the Area [UNCLOS Art 147 (3)]	
	ISA, in conjunction with member States, shall take measures to ensure that other activities in the Marine Environment shall be conducted with reasonable regard for the activities of Contractors in the Area [DR Reg 31 (2)]		

TABLE H: INCIDENTS & NOTIFIABLE EVENTS

Incidents [Definition of Incidents in PMN Reg 33 (1); PMS Reg 35 (1); CFC Reg 35 (1); DR (Schedule)]			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Contractor obligation to provide Council with a guarantee of its financial and technical capability to comply promptly with emergency orders or assure the Council that it can take such emergency measures [PMN Reg 33 (8); PMS Reg 35 (8); CFC Reg 35 (8)]		If the contractor does not provide the Council with such a guarantee, the sponsoring State or States shall, in response to a request by the Secretary-General and pursuant to articles 139 and 235 of the Convention, take necessary measures to ensure that the contractor provides such a guarantee or shall take measures to ensure that assistance is provided to the Authority in the discharge of its responsibilities under paragraph 7 [PMN Reg 33 (8); PMS Reg 35 (8); CFC Reg 35 (8)]; AO para. 138]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO para. 103 - 106]
Contractor Obligation to promptly report to SG any incident arising from activities which have caused, are causing or pose a threat of serious harm to the marine environment under Exploration Regulations [PMN Reg 33 (1); PMS Reg 35 (1); CFC Reg 35 (1)]	SG's obligation to notify and report under the Exploration Regulations: <ul style="list-style-type: none"> - To notify incident to Contractor & SS; - Report to LTC, Council and ISA Members, competent international organizations, sub-regional, regional, global organizations and bodies; - Monitor developments and report to LTC, Council and ISA Members; take immediate measures of a temporary nature [PMN Reg 33 (2); PMS Reg 35 (2); CFC Reg 35 (2)] 	SS right to be informed of an incident by SG [PMN Reg 33 (2); PMS Reg 35 (2); CFC Reg 35 (2)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO para. 103 - 106]

TABLE H: INCIDENTS & NOTIFIABLE EVENTS

Incidents [Definition of Incidents in PMN Reg 33 (1); PMS Reg 35 (1); CFC Reg 35 (1); DR (Schedule)]			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	SG right to take immediate measures of a temporary nature to prevent, contain and minimize serious harm or threat of serious harm to the marine environment [PMN Reg 33 (2); PMS Reg 35 (2); CFC Reg 35 (2)]		
	LTC to determine necessary measures and make recommendations to Council [PMN Reg 33 (4); PMS Reg 35 (4); CFC Reg 35 (2)]		
	Council's right to issue emergency orders and take measures to minimize harm to the marine environment [PMN Reg 33 (5) and (6); PMS Reg 35 (5) and (6); CFC Reg 35 (5) and (6)]		
Contractor's Obligation to reduce risks of Incidents as much as reasonably practicable and Obligation to Respond to Incidents [DR Reg 32; Reg 33 (2)]	SG Obligation to report Contractor's failure to comply with regulations on Incidents to SS, flag State of any vessel involved in the Incident for consideration of the institution of legal proceedings under national law [DR Reg 33 (3)]	SS has a right to be informed of an incident by SG [DR Reg 33 (3)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [Dr Reg 105; AO para. 103 - 106]
Contractor Obligation to Notify SG and SS [DR Reg 33 (2)]	SG has an obligation to report incidents and measures taken to the LTC and Council at the next available meeting [DR Reg 33 (4)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO para. 103 - 106]

TABLE H: INCIDENTS & NOTIFIABLE EVENTS			
Incidents [Definition of Incidents in PMN Reg 33 (1); PMS Reg 35 (1); CFC Reg 35 (1); DR (Schedule)]			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Contractor Obligation to undertake promptly any instructions received from SG in consultation with SS, flag State, coastal State or relevant international organizations [DR Reg 33 (2) (c)]	SG to consult SS, flag State, coastal State or relevant international organizations on instructions to be given to Contractor [DR Reg 33 (2) (c)]	SG and SS to consult SS, flag State, coastal State or relevant international organizations on instructions to be given to Contractor [DR Reg 33 (2) (c)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO para. 103 - 106]

TABLE I: MONITORING OF CONTRACTORS THROUGH REPORTING OBLIGATIONS

Annual Reports			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	ISA obligation to adopt rules, regulations and procedures on operations, including progress reports [UNCLOS, Annex III, Art. 17 (1) (b) (vi)]	SS obligation to assist the ISA by taking all measures necessary to ensure such compliance in accordance with Article 139 [UNCLOS Art 153 (4)]	
Contractor Obligation under the Exploration Regulations to submit annual reports to the Secretary-General [PMN/PMS/CFC, Annex IV (Standard Clauses), Section 10]	SG to transmit such reports to LTC for consideration [PMN Reg 32 (2); PMS Reg 34 (2); CFC Reg 34 (2)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106]
Contractor Obligation under the Draft Exploitation Regulations to submit annual reports to the Secretary-General [DR, Reg 38, Reg 51]	SG to publish annual reports in Seabed Mining Register, except for Confidential Information, which shall be redacted. [DR Reg 38 (3)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 103 - 106]

TABLE I: MONITORING OF CONTRACTORS THROUGH REPORTING OBLIGATIONS

Periodic Review of Activities			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Contractor and SG shall jointly undertake a periodic review of the implementation of the plan of work every five years [PMN Reg 28 (1) and (2); PMS Reg 30 (1) and (2); CFC Reg 30 (1) and (2)]	SG shall report the review to the LTC and the Council and must indicate whether any observations transmitted by States Parties on the way in which the Contractor has discharged its obligations relating to marine environment protection were taken into account [PMN Reg 28 (3); PMS Reg 30 (3) and (2); CFC Reg 30 (3)]	SS may be asked to submit observations on Periodic Review carried out by the SG and Contractor [PMN Reg 28 (3); PMS Reg 30 (3) and (2); CFC Reg 30 (3)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106]
SG may review with the Contractor the Contractor's activities under the plan of work every five years or if in the Secretary-General's opinion, a prescribed list of events or changes of circumstances occur and the Contractor is required to provide all information required by the Secretary-General [DR Reg 58 (1) and (4)]	SG may invite SS to participate in the review of activities [DR Reg 58 (1) (2)] SG must report on each review to the LTC, the Council and the SS and shall make publicly available the findings and recommendations from a review of activities [DR Reg 58 (3) and (6)]	SS may participate in review of activities under a plan of work for exploitation [DR Reg 58 (2)] SS right to receive report from SG [DR Reg 58 (3)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 103 - 106]

TABLE I: MONITORING OF CONTRACTORS THROUGH REPORTING OBLIGATIONS			
Performance Assessment Report			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Contractor obligation in relation to the monitoring of the Contractor's compliance with its environmental obligations, to submit a performance assessment report on the Environmental Management and Monitoring Plan to SG [DR Reg 52 (1) – (3)]	SG to submit performance assessment report to LTC [DR Reg 52 (4)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 103 - 106]
	LTC to review performance assessment report and SG to make public the report and findings and recommendations of the LTC [DR Reg 52 (4)]		
	LTC shall report annually to Council on performance assessments [DR Reg 52 (9)]		

TABLE J: INSPECTIONS			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	ISA shall have the right to take at any time any measures provided for under this Part to ensure compliance with its provisions and the exercise of the functions of control and regulation assigned to it thereunder or under any contract and shall have the authority to inspect all installations in the Area used in connection with activities in the Area [UNCLOS, Art 153 (5)]	SS obligation to assist the ISA by taking all measures necessary to ensure such compliance in accordance with Article 139 [UNCLOS Art 153 (4); AO, paras. 124 and 218]	
	Council shall establish appropriate mechanisms for directing and supervising a staff of inspectors who shall inspect activities in the Area to determine whether this Part, the rules, regulations and procedures of the Authority, and the terms and conditions of any contract with the Authority are being complied with [UNCLOS, Art. 162 (2) (z);		
	LTC shall make recommendations to the Council regarding the direction and supervision of a staff of inspectors who shall inspect activities in the Area to determine whether the provisions of this Part, the rules, regulations and procedures of the Authority, and the terms and conditions of any contract with the Authority are being complied with [UNCLOS, Art. 165 (2) (m)]		

TABLE J: INSPECTIONS			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	LTC shall, upon request by any State Party or other party concerned, be accompanied by a representative of such State or other party concerned when carrying out their function of supervision and inspection [UNCLOS, 165 (3)]	SS right to request that a representative of the SS accompany the members of the LTC when carrying out their function of supervision and inspection [UNCLOS 165 (3)]	
Contractor's Obligation to permit ISA to send its inspectors on board vessels and installations used by the Contractor to carry out activities in the exploration area [PMN/PMS/CFC Annex IV (Standard Clauses), Section 14 (1)]	ISA and Inspectors right to inspect any vessel or installation including its log, equipment, records, facilities all other recorded data and any relevant documents [PMN/PMS/CFC Annex IV (Standard Clauses), Section 14 (1) and (3)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 – 106]
Contractor's Obligations to assist the inspectors in the performance of their duties [PMN/PMS/CFC Annex IV (Standard Clauses), Section 14 (1)]	SG and duly authorized representatives shall have access to any books, documents, papers and records of the Contractor necessary to verify expenditures referred to in section 10.2 (c) [PMN/PMS/CFC Annex IV (Standard Clauses), Section 14 (6)]		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 1–3 - 106]
	SG to give reasonable notice to the Contractor of details of the Inspections [PMN/PMS/CFC Annex IV (Standard Clauses), Section 14 (2)]		
	Inspectors obligation to avoid interference with safe and normal operations [PMN/PMS/CFC Annex IV (Standard Clauses), Section 14 (5)]		
	SG shall provide relevant information contained in the reports of inspectors	SS Right to receive inspection reports where action is necessary	

TABLE J: INSPECTIONS			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	to Contractor and its sponsoring States where action is necessary [PMN/PMS/CFC Annex IV (Standard Clauses), Section 14 (7)]	[PMN/PMS/CFC Annex IV (Standard Clauses), Section 14 (7)]	
Contractor Obligation to permit ISA to send its Inspectors who may be accompanied by a representative of its state or other party concerned aboard vessels and installations, whether offshore or onshore, used by the Contractor to carry out exploitation activities under an exploitation contract as well as to enter its offices wherever situated [DR Reg 96 (2)]	ISA right to send its Inspectors aboard vessels and Installations, whether onshore or offshore, used by the Contractor to carry out exploitation activities and to enter its offices wherever situated [DR Reg 96 (2)]	SS right to send a representative to ISA inspections on vessels and installations used for exploitation activities and Contractor's offices [DR Reg 96 (2)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 1–3 - 106]
Contractor (and agents and employees) Obligation to facilitate actions of Inspectors in performance of their duties [DR Reg 96 (5)]	Inspectors may inspect any relevant documents or items which are necessary to monitor the Contractor's compliance, all other recorded data and samples and any vessel or Installation, including its log, personnel, equipment, records and facilities [DR Reg 96 (4)]	ISA Members, in particular SS, shall assist the Council, the SG and Inspectors in discharging their function under the Rules of the ISA [DR Reg 96 (2)]	SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 1–3 - 106]
	Inspector's powers in inspections [DR Reg 98 and 99]		
	SG shall give reasonable notice to the Contractor of the inspections except where the SG has reasonable grounds to consider the matter urgent such that urgent notice cannot be given in which case the SG may, where practicable, exercise the right to conduct an inspection without prior notification [DR Reg 96 (3)]		

TABLE J: INSPECTIONS			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	Inspector's Obligations in inspection [DR Reg 96 (6)]		
	Inspector's Obligation to prepare a report setting out findings and recommendations [DR Reg 100]		
	Inspector's Obligation to report immediately to the SG and SS that an instruction has been issued [DR Reg 99 (3)] and also send the post-inspection report to the SG [DR Reg 100 (1)]	SS right to be informed of an instruction being issued [DR Reg 99 (3)]	
	SG obligation to send post-inspection report to Contractor and SS, and if appropriate to the relevant coastal State and flag State [DR Reg 100 (1)]	SS right to receive post-inspection report [DR Reg 100 (1)]	
	SG obligation to report annually to the Council on findings and recommendations and to make recommendations to the Council on any regulatory action to be taken by the Council [DR Reg 100 (2)]		
	SG obligation to report acts of violence, intimidation, abuse against or the wilful obstruction or harassment of Inspector by any person or failure of Contractor to comply with this regulation to the sponsoring State, flag State concerned for consideration of the institution of proceedings under national law [DR Reg 100 (3)]	SS right to receive information on violence, intimidation, abuse against or the wilful obstruction or harassment of Inspector by any person or failure of Contractor to comply with this regulation [DR Reg 100 (3)]	
Contractor obligation to ensure that all mining vessels and mining collectors shall be fitted with an	All data transmitted to the ISA through the electronic monitoring		SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate

TABLE J: INSPECTIONS			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
electronic monitoring system [DR Reg 102 (2)]	system shall be transmitted to the SS [DR Reg 102 (4)]		Measures Within their Legal Systems [DR Reg 105; AO, paras 1–3 - 106]
	<p>Council shall establish appropriate mechanisms for inspection [DR Reg 96 (1)]</p> <ul style="list-style-type: none"> - LTC shall make recommendations to the Council on the appointment, supervision and direction of Inspectors [DR Reg 97 (2)] - Council, based on recommendations of the LTC, shall determine the relevant qualifications and experience to the areas of duty of an Inspector [DR Reg 97 (1)] - SG shall manage and administer such inspection at the direction of the Council 		

TABLE K: CONTRACTOR'S NON-COMPLIANCE

Warnings and Compliance Notices			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
	<p>1. A contractor's rights under the contract may be suspended or terminated only in the following cases:</p> <p>(a) if, in spite of warnings by the Authority, the contractor has conducted his activities in such a way as to result in serious, persistent and wilful violations of the fundamental terms of the contract, Part XI and the rules, regulations and procedures of the Authority; or</p> <p>(b) if the contractor has failed to comply with a final binding decision of the dispute settlement body applicable to him.</p> <p>2. In the case of any violation of the contract not covered by paragraph 1(a), or in lieu of suspension or termination under paragraph 1(a), the Authority may impose upon the contractor monetary penalties proportionate to the seriousness of the violation.</p> <p>3. Except for emergency orders under article 162, paragraph 2(w), the Authority may not execute a decision involving monetary penalties, suspension or termination</p>	<p>SS obligation to assist the ISA by taking all measures necessary to ensure such compliance in accordance with Article 139 [UNCLOS Art. 153 (4); AO, paras 124 and 218]</p>	

TABL E K: CONTRACTOR'S NON-COMPLIANCE			
Warnings and Compliance Notices			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
	until the contractor has been accorded a reasonable opportunity to exhaust the judicial remedies available to him pursuant to Part XI, section [UNCLOS, Annex III, Art 18]		
	The Council may suspend or terminate the contract if in spite of written warning by the ISA, the Contractor has conducted its activities in such a way as to result in serious persistent and wilful violations of the fundamental terms of this contract, Part XI of UNCLOS, the Agreement and the rules, regulations and procedures of the ISA [PMN Reg 21.1 (a); PMS Reg 21.1 (a); CFC Reg 21.1 (a)]		
Contractor right to be given a reasonable opportunity to make representations in writing to the SG concerning the compliance notice [DR Reg 103 (4)]	: SG, shall, if it appears to the SG on reasonable grounds that a Contractor is in breach of the terms and conditions of its exploitation contract, issue a compliance notice requiring the Contractor to take such action as may be specified in the compliance notice [DR Reg 103 (1) – (3)]		

TABLE K: CONTRACTOR'S NON-COMPLIANCE

Monetary Penalties			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
	<p>ISA right to impose monetary penalties:</p> <p>1. A contractor's rights under the contract may be suspended or terminated only in the following cases:</p> <p>(a) if, in spite of warnings by the Authority, the contractor has conducted his activities in such a way as to result in serious, persistent and wilful violations of the fundamental terms of the contract, Part XI and the rules, regulations and procedures of the Authority; or</p> <p>(b) if the contractor has failed to comply with a final binding decision of the dispute settlement body applicable to him.</p> <p>2. In the case of any violation of the contract not covered by paragraph 1(a), or in lieu of suspension or termination under paragraph 1(a), the Authority may impose upon the contractor monetary penalties proportionate to the seriousness of the violation.</p> <p>3. Except for emergency orders under article 162, paragraph 2(w), the Authority may not execute a decision involving monetary</p>	<p>SS obligation to assist the ISA by taking all measures necessary to ensure such compliance in accordance with Article 139 [UNCLOS Art 153 (4); AO, paras. 124 and 218]</p>	

TABLE K: CONTRACTOR'S NON-COMPLIANCE			
Monetary Penalties			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
	penalties, suspension or termination until the contractor has been accorded a reasonable opportunity to exhaust the judicial remedies available to him pursuant to Part XI, section 5 [UNCLOS, Annex III, Art 18]		
Contractor to exhaust judicial remedies available: Council may not execute a decision involving monetary penalties until the Contractor has been accorded a reasonable opportunity to exhaust the judicial remedies available to it pursuant to Part XI, section 5, of UNCLOS [PMN/PMS/CFC, Annex IV (Standard Clauses), Section 21.7]	For violations of the contract not covered by S 21.1 (a), the Council may impose upon the contractor monetary penalties proportionate to the seriousness of the violation [PMN/PMS/CFC, Annex IV (Standard Clauses), Section 21.6]		
Except for emergency orders, the Council may not execute a decision involving monetary, suspension or termination until the Contractor has been accorded a reasonable opportunity to exhaust the judicial remedies available to it pursuant to Part XI, section 5, of UNCLOS [DR Reg 103 (7)]	In case of any violation of an exploitation contract, or in lieu of suspension or termination under DR Reg 103 (5), the Council may impose upon a Contractor monetary penalties proportionate to the seriousness of the violation [DR Reg 103 (6)]		

TABLE K: CONTRACTOR'S NON-COMPLIANCE

Suspension or Termination of Contract			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
	<p>1. A contractor's rights under the contract may be suspended or terminated only in the following cases:</p> <p>(a) if, in spite of warnings by the Authority, the contractor has conducted his activities in such a way as to result in serious, persistent and wilful violations of the fundamental terms of the contract, Part XI and the rules, regulations and procedures of the Authority; or</p> <p>(b) if the contractor has failed to comply with a final binding decision of the dispute settlement body applicable to him.</p> <p>2. In the case of any violation of the contract not covered by paragraph 1(a), or in lieu of suspension or termination under paragraph 1(a), the Authority may impose upon the contractor monetary penalties proportionate to the seriousness of the violation.</p> <p>3. Except for emergency orders under article 162, paragraph 2(w), the Authority may not execute a</p>	<p>SS obligation to assist the ISA by taking all measures necessary to ensure such compliance in accordance with Article 139 [UNCLOS Art 153 (4); AO, para. 124]</p>	

TABLE K: CONTRACTOR'S NON-COMPLIANCE			
Suspension or Termination of Contract			
Contractor	ISA	Sponsoring State	
		Direct Obligations	Obligation to Ensure Compliance
	decision involving monetary penalties, suspension or termination until the contractor has been accorded a reasonable opportunity to exhaust the judicial remedies available to him pursuant to Part XI, section 5 [UNCLOS, Annex III, Art 18]		
Contractor right to dispute ISA authority to suspend or terminate the contract in accordance with Part XI, section 5 of UNCLOS [PMN/PMS/CFC, Annex IV (Standard Clauses), Section 21.1, 21.3 21.4; DR, Annex X (Standard Clauses), Section 12.4]	The Council may suspend or terminate the contract on the occurrence of certain events by notice through the SG which shall include a statement of the reasons for taking such action [PMN/PMS/CFC, Annex IV (Standard Clauses), Section 21.1, 21.2, 21.3; DR Reg 103 (5)]		
Except for emergency orders, the Council may not execute a decision involving monetary, suspension or termination until the Contractor has been accorded a reasonable opportunity to exhaust the judicial remedies available to it pursuant to Part XI, section 5, of UNCLOS [DR Reg 103 (7)]			

TABLE K: CONTRACTOR'S NON-COMPLIANCE

Institution of Proceedings			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	<p>ISA right to bring proceedings against Contractor:</p> <ul style="list-style-type: none"> - Before the SDC for disputes between parties to a contract, being States Parties, the ISA or the Enterprise, state enterprises and natural or juridical persons referred to in article 153, paragraph 2(b), concerning: (i) the interpretation or application of a relevant contract or a plan of work; or (ii) acts or omissions of a party to the contract relating to activities in the Area and directed to the other party or directly affecting its legitimate interests [UNCLOS, Art. 187 (c)] - Before an Arbitral Tribunal for disputes concerning the interpretation or application of a contract referred to in article 187, subparagraph (c)(i), shall be submitted, at the request of any party to the dispute, to binding commercial arbitration, unless the parties otherwise agree [UNCLOS, Art. 188 (2)] 	<p>Right of SS to be given notice and participate in proceedings if a sponsored Contractor is a party to the dispute [UNCLOS, Art. 190 (1)]</p>	
		<p>SS obligation to ensure enforceability of any final decision rendered by a court or tribunal: Any final decision rendered by a court or tribunal having</p>	

TABLE K: CONTRACTOR'S NON-COMPLIANCE			
Institution of Proceedings			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
		jurisdiction under UNCLOS relating to the rights and obligations of the ISA and of the Contractor shall be enforceable in the territory of each State Party [UNCLOS, Annex III, Art 21 (2); AO, paras. 218 and 235]	

TABLE L: TERMINATION OF THE CONTRACTOR'S SPONSORSHIP & TERMINATION OF CONTRACT

Termination of Sponsorship of the Contractor			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
Contractor's obligation to have the required sponsorship through the period of the contract and to obtain another sponsor within required period [PMN Reg 29 (1) and (3); PMS Reg 31 (1) and (3); CFC Reg 31 (1) and (3); DR Reg 21(1) and (3)]	SG obligation to notify the ISA members of termination or change of sponsorship of the contractor [PMN Reg 29 (5); PMS Reg 31 (5); CFC Reg 31 (5); DR Reg 21(5)]	SS must promptly notify SG on termination of the contractor's sponsorship and provide reasons. SS should also inform SG of the reasons for terminating its sponsorship. Termination of sponsorship shall take effect six months after the date of receipt of the notification by SG, unless the notification specifies a later date [PMN Reg 29 (2); PMS Reg 31 (2); CFC Reg 31 (2)]	
		SS shall not be discharged by reason of the termination of its sponsorship from any obligations accrued while it was a SS, nor shall such termination affect any legal rights and obligations created during such sponsorship [PMN Reg 29 (4); PMS Reg 31 (4); CFC Reg 31 (4)]	
		Termination of sponsorship takes effect no later than 12 months after the date of receipt by SG, except where termination is due to Contractor's non-compliance under the terms of sponsorship, whereby termination shall take effect no later than 6 months after the date of notification [DR Reg 21 (2)]	
	Council, based on LTC recommendations, taking into	A sponsoring State shall not be discharged by reason of the	

TABLE L: TERMINATION OF THE CONTRACTOR'S SPONSORSHIP & TERMINATION OF CONTRACT			
Termination of Sponsorship of the Contractor			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
	account the reasons for the termination of sponsorship, may require the Contractor to suspend its mining operations until a new certificate of sponsorship is submitted [DR Reg 21 (6)]	termination of its sponsorship from any obligations accrued while it was a sponsoring State, nor shall such termination affect any legal rights and obligations created during such sponsorship [DR Reg 21 (4)]	

TABLE L: TERMINATION OF CONTRACT			
Termination of Contract			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
In the event of termination or expiration of exploration contract, the Contractor shall comply with the Regulations and shall remove all installations, plant, equipment and materials in the exploration area and shall make the area safe so as not to constitute a danger to persons, shipping or to the marine environment [PMN/PMS/CFC Annex IV (Standard Clauses) Section 21.8]			SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [AO, para. 103 - 106]
<p>In the event of termination, expiration or surrender of this Contract, the Contractor shall:</p> <p>(a) Comply with the final Closure Plan, and continue to perform the required environmental management of the Contract Area as set forth in the final Closure Plan and for the period established in the final Closure Plan;</p> <p>(b) Continue to comply with relevant provisions of the Regulations, including:</p> <p>(c) Remove all Installations, plant, equipment and materials in the Contract Area; and</p>			SS Obligation to Ensure Compliance of the Sponsored Contractor by Taking Reasonably Appropriate Measures Within their Legal Systems [DR Reg 105; AO, para. 103 - 106]

TABLE L: TERMINATION OF CONTRACT			
Termination of Contract			
Contractor	ISA	Sponsoring State	
		Direct Rights and Obligations	Obligation to Ensure Compliance
<p>(d) Make the area safe so as not to constitute a danger to persons, shipping or to the Marine Environment.</p> <p>13.2 Where the Contractor fails to undertake the obligations listed in Section 13.1 within a reasonable period, the Authority may take necessary steps to effect such removal and make safe the area at the expense of the Contractor. Such expense, if any, shall be deducted from the Environmental Performance Guarantee held by the Authority</p> <p>13.3 Upon termination of this Contract, any rights of the Contractor under the Plan of Work and in respect of the Contract Area also terminate. [DR, Annex X (Standard Clauses), Section 13]</p>			