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Agenda item 9

Report of the Secretary-General on the status of national legislation relating to deep seabed mining and related matters

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, and related matters

Report of the Secretary-General

1. The present report is provided pursuant to the decision of the Council, at the seventeenth session of the Authority, 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 the texts of, relevant national laws, regulations and administrative measures to the secretariat ([ISBA/17/C/20](#), para. 3), and its subsequent decision to make this a standing item on its agenda (see [ISBA/18/C/8](#) and [ISBA/18/C/8/Add.1](#)).

2. It is also recalled that, at the twenty-third session, in 2017, by its decision relating to the final report on 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 invited sponsoring States, if they had not already done so, to review their respective national legislation to control activities by their sponsored entities, drawing on the advisory opinion of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea ([ISBA/23/A/13](#), sect. B).

3. By note verbale dated 31 January 2023, the secretariat invited sponsoring States and other members of the Authority to submit to the secretariat the texts of relevant national laws, regulations and administrative measures or related information and to indicate whether they were in the process of reviewing them or had relevant policies towards legislating in this regard. As at 24 May 2023, such texts have been received from the Cook Islands and Egypt.



4. As at May 2023, the Authority’s online database contains information on or the texts of relevant national legislation received from the following 38 States: Bangladesh, Belgium, Benin, Brazil, China, the Cook Islands, Cuba, Czechia, Dominican Republic, Ecuador, Egypt, Fiji, France, Georgia, Germany, Guyana, India, Japan, Kenya, Kiribati, Mexico, Micronesia (Federated States of), Montenegro, Nauru, the Netherlands, New Zealand, Nigeria, Niue, Oman, the Republic of Korea, the Russian Federation, Singapore, the Sudan, Tonga, Tuvalu, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Zambia. It also contains information received from the Pacific Community. The database contains further information and the texts of national laws, regulations and administrative measures submitted by the aforementioned member and observer States of the Authority.¹ It will continue to be updated upon receipt of new information.

5. In addition, by a note verbale dated 19 May 2023, the Permanent Mission of Bulgaria to the United Nations has communicated that:

“The national legislation of the Republic of Bulgaria does not contain a specific Act of Law or set of administrative regulations related to the conduct of mining activities in the Area. The conditions and procedures for prospecting, exploration and extraction of underground resources on the territory of the Republic of Bulgaria, in the Continental Shelf and in the Exclusive Economic Zone of the Republic of Bulgaria in the Black Sea are regulated by the Act of Law on the Underground Resources.

Currently, the respective Directorate in the Ministry of Energy of the Republic of Bulgaria is in the process of reviewing and analysing the above-mentioned Act of Law, other provisions of the Bulgarian national legislation, as well as the ISA Regulations and Laws and Regulations, adopted by Member States of the ISA. This comprehensive review process has been undertaken with the aim of introducing into the Bulgarian national legislation the necessary changes regarding the activities in the Area, including deep seabed mining.”

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

¹ <https://www.isa.org.jm/national-legislation-database/>.