

Strategic plan of the International Seabed Authority for the period 2024–2028

I. Introduction

1. The present strategic plan embodies the vision of the International Seabed Authority for the implementation of part XI and other provisions relating to the Area under the United Nations Convention on the Law of the Sea of 10 December 1982 and the 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 during the five-year period 2024–2028. It takes into account that, pursuant to the 1994 Agreement, the setting up and the functioning of the Authority shall be based on an evolutionary approach in order that it may discharge effectively its responsibilities at various stages of the development of activities in the Area (1994 Agreement, annex, sect. 1 (3)).

2. The Convention and the 1994 Agreement constitute an intricate and unitary system of rights, obligations, duties and responsibilities in connection with activities in the Area. The system involves a broad stakeholder base which includes States parties, sponsoring States, flag States, coastal States, State enterprises, private investors, other users of the marine environment and interested ~~international and non-governmental organizations~~ global and regional intergovernmental organizations. All have a role in the development, implementation and enforcement of rules and standards for activities in the Area to ensure that these activities are carried out for the benefit of mankind as a whole. Through this Plan, the Authority aims to engage with stakeholders in implementing the regime for the Area accordingly. The strategic plan will be supplemented by an action plan, including key performance indicators, and will be kept under regular review by the Assembly.

3. The strategic plan consists of the following components:

- (a) Mission statement;
- (b) Context and challenges;
- (c) Strategic directions for 2024–2028;
- (d) Expected outcomes.

4. The guiding principles of the strategic plan are the following:

- (a) ~~To ensure the realization of the common heritage of mankind principle for the Area and its resources~~ To reaffirm that the Area and its resources are the common heritage of mankind;
- (b) To promote the orderly, safe and ~~rational~~ sound management of the resources of the Area for the benefit of mankind as a whole;
- (c) To support the implementation of the international legal regime of the Area, including the Authority's rules, regulations and procedures;
- (d) To promote the exchange of best practices among States and contractors;
- (e) To ensure a better understanding and the effective protection of the marine environment;
- (f) To promote harmonized approaches to the protection of the marine environment and its resources;
- (g) To ~~provide broad public access to environmental information~~ provide broad public access to information;
- (h) To ensure the use of best available scientific information in decision-making;

Commented [LP-1]: Art. 169 of UNCLOS refers to “international and non-governmental organizations”. Canada would suggest that this terminology be used here instead of “global and regional intergovernmental organizations”.

Commented [LP-2]: Instead of just reaffirming UNCLOS, Canada suggests “To ensure the realization of the common heritage of mankind principle for the Area and its resources”.

Commented [LP-3]: Canada suggests “sound” instead of “rational”

Commented [LP-4]: In order not to limit public access to environmental information only Canada would suggest “provide broad public access to information” instead.

(i) To require the application of the precautionary approach, as reflected in Principle 15 of the Rio Declaration on Environment and Development,¹ best available techniques and best environmental practices;

(j) To ~~ensure the transparency of and accountability for results.~~

5. The strategic directions and priorities identified in the plan are directed primarily by:

(a) The Convention, and in particular article 162 (2) (o) (ii), in which it is stated that: priority shall be given to the adoption of rules, regulations and procedures for the exploration for and exploitation of polymetallic nodules;

(b) The 1994 Agreement, including:

(i) Annex, section 1 (5), which sets out the matters on which the Authority will concentrate between the entry into force of the Convention and the approval of the first plan of work for exploitation;

~~(ii) Annex, section 1 (5) (g), which requires the Adoption of rules, regulations and procedures incorporating applicable standards for the protection and preservation of the marine environment;~~

~~(ii)(iii)~~ Annex, section 1 (5) (f), which requires the adoption of rules, regulations and procedures necessary for the conduct of activities in the Area as they progress and that such rules, regulations and procedures take into account the terms of the Agreement, the prolonged delay in commercial deep seabed mining and the likely pace of activities in the Area;

~~(ii)(iv)~~ Annex, section 2, with regard to those functions of the Enterprise that complement the relevant priorities as set out in section 1 (5) of the annex;

~~(ii)(v)~~ Annex, section 5, with regard to those principles, in addition to the provisions of article 144 of the Convention, on transfer of technology, that complement the relevant priorities as set out in section 1 (5) of the annex;

~~(ii)(vi)~~ Annex, section 6, with regard to those principles for a production policy that complement the relevant priorities as set out in section 1 (5) of the annex.

6. The Plan also takes into account:

(a) The current status of implementation by the Authority of the priorities set out in the 1994 Agreement, in particular those set out in section 1 (5) of the annex, and in the Convention, as well as activities mandated by the Council;

(b) The Authority's current and projected workload, resources and capacity for the period of the present strategic plan;

(c) Other relevant international agreements, processes, principles and objectives, including the 2030 Agenda for Sustainable Development, the Global Biodiversity Framework and the Agreement 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.

II. Mission statement

7. The mission of the International Seabed Authority is to be the organization through which States parties organize and control activities in the Area, which is the common heritage of mankind, to promote the orderly, safe and responsible management and development of the resources of the Area for the benefit of mankind as a whole, including by ensuring the effective protection of the marine environment.

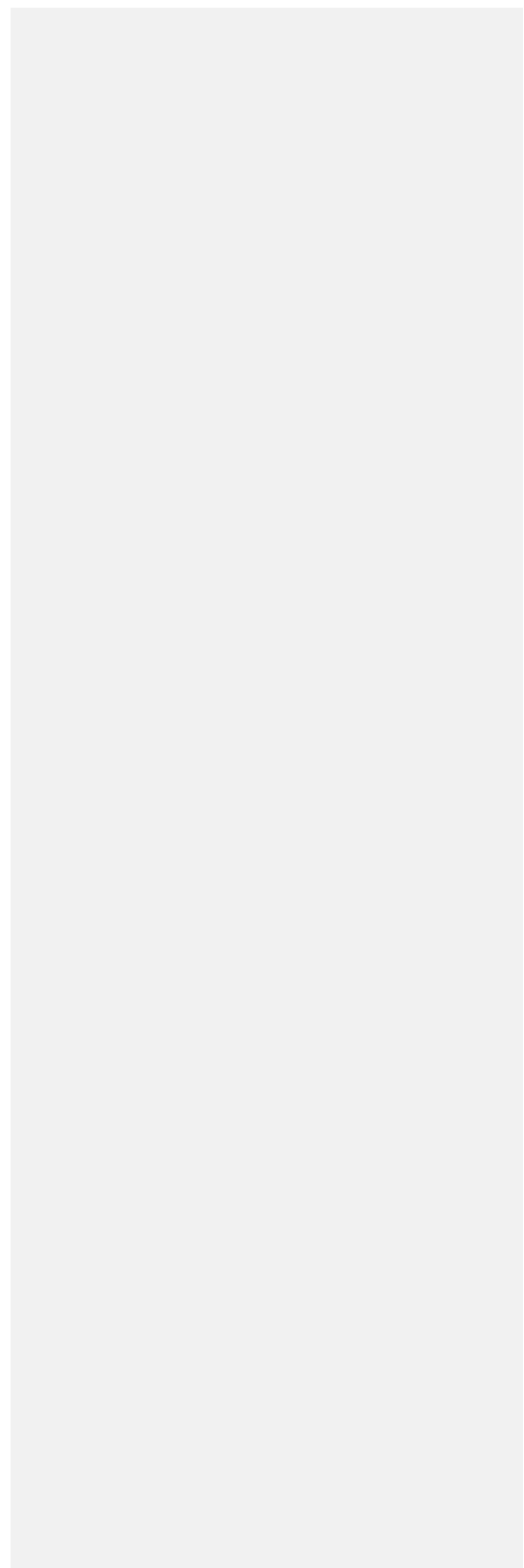
¹ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. 1, Resolutions adopted by the Conference (United Nations publication, Sales No.

Commented [LP-5]: As a guiding principle, Canada would suggest "To ensure transparency and accountability", rather than limiting this to results.

Commented [LP-6]: Canada suggest the addition of the paragraph

Commented [LP-7]: Canada notes that there is a formatting/spacing issue here but would actually prefer the sentence to stop here for a shorter, more focused mission statement. The following paragraph could further explain how this would be done.

E.93.I.8 and corrigendum), resolution 1, annex I.



8. ~~This will be accomplished~~ in accordance with sound principles of conservation and contributing to agreed international objectives and principles, including the Sustainable Development Goals. ~~This will be accomplished and~~ by developing and maintaining a comprehensive regulatory mechanism for commercial deep seabed mining that incorporates effective protection of the marine environment and of human health and safety, the equitable sharing of financial and other economic benefits from activities in the Area and that allows for the fully integrated participation of developing States through the exchange of knowledge and best practices consistent with the principle that the Area and its resources are the common heritage of mankind.

Commented [LP-8]: Proposal by Canada to keep the mission statement short in the previous paragraph.

III. Context and challenges

9. In an ever-changing world, and in its role as custodian of the common heritage of mankind, the Authority faces many challenges. As described in the present section, it needs to achieve an appropriate balance between multiple objectives.

Globalization and sustainable development

10. In all its work, the Authority is guided by the 2030 Agenda for Sustainable Development (General Assembly resolution 70/1), including the 17 Sustainable Development Goals adopted as part of this agenda. Of most relevance to the Authority is Goal 14 (Conserve and sustainably use the oceans, seas and marine resources for sustainable development), but other Goals also have relevance to the work of the Authority (see appendix D).

11. The challenge for the Authority is to contribute to the timely and effective implementation of the Sustainable Development Goals, in particular Goal 14, through implementing the economic, environmental and social mandates assigned to it under the Convention and the 1994 Agreement. These mandates include: ensuring that activities in the Area are carried out for the benefit of mankind as a whole (Convention, art. 140 (1)); ensuring effective protection for the marine environment (ibid., art. 145); and of human life (ibid., art. 146); promoting and encouraging the conduct of marine scientific research in the Area (ibid., art. 143); and the effective participation of developing States in activities in the Area (ibid., art. 148). Also included are the importance of fostering healthy development of the world economy and balanced growth of international trade (ibid., art. 150); ensuring the development of the resources of the Area (ibid., art. 150 (a)); the orderly, safe and rational management of the resources of the Area (ibid., art. 150 (b)); the enhancement of opportunities for all States parties (ibid., art. 150 (g)); and the development of the common heritage for the benefit of mankind as a whole (ibid., art. 150 (i)).

10 bis In 2021, an independent study commissioned by the Secretary-General identified that the Authority's mandate makes a meaningful contribution to 12 of the 17 Sustainable Development Goals, including SDG 1 (No poverty), SDG 8 (Decent work and economic growth), SDG 10 (Reduced inequalities), SDG 12 (Responsible consumption and production), SDG 13 (Climate action), SDG 14 (Life below water), SDG 15 (Life on land), SDG 16 (Peace, justice and strong institutions) and SDG 17 (Partnerships for the goals). The report made several recommendations where members of the Authority and the Secretariat could strengthen working practices within the Authority and also highlighted how resourcing constraints could limit the Authority's ability to be proactive in addressing its current challenges.

The need for exploitation regulations

12. The primary means by which the Authority is required to organize, carry out and control activities in the Area on behalf of mankind as a whole is to adopt and

uniformly apply rules, regulations and procedures (ibid., annex III, art. 17). The basis for these rules, regulations and procedures is annex III to the Convention, which complements part XI and is further governed by the 1994 Agreement. Annex III sets out the basic conditions for prospecting, exploration and exploitation in the Area. The 1994 Agreement stipulates that rules, regulations and procedures relating to the conduct of activities in the Area are to be adopted as those activities progress. Regulations governing exploration have been adopted, and the challenge now is to adopt sound and balanced regulations for exploitation. Rules, regulations and procedures for exploitation must reflect best international standards and practices, as well as internationally agreed principles of sustainable development.

Commented [LP-9]: Canada believes that the reference here should be to Rules, Regulations, and Procedures, given need to do Standards and Guidelines as well.

Commented [LP-10]: Proposed addition

13. Since 2015, substantial progress has been made in elaborating a regulatory framework for exploitation. Whilst the regulatory framework remains incomplete, there is broad recognition that regulatory certainty, with clear requirements to ensure environmental protection and clear financial terms, is critical prior to consideration of any application for a plan of work for exploitation. In this context, the Council reiterated in March 2023, its commitment to the completion of the rules, regulations and procedures relating to exploitation in accordance with the Convention and the 1994 Agreement.²

Environmental protection

14. Ensuring effective protection for the marine environment from harmful effects which that may arise from such activities in the Area (ibid., art. 145) receives detailed attention in the Convention and the 1994 Agreement. The 1994 Agreement provides that the adoption of rules, regulations and procedures incorporating applicable standards for the protection and preservation of the marine environment (1994 Agreement, annex, sect. 1 (5) (g)) is one of the matters on which the Authority will concentrate between the entry into force of the Convention and the approval of the first plan of work for exploitation. The Convention requires the Authority to adopt rules, regulations and procedures designed to prevent, reduce and control pollution and other hazards to the marine environment having the potential to interfere with the ecological balance of the marine environment. The Authority is also required to protect and conserve the natural resources of the Area, preventing damage to the flora and fauna of the marine environment (Convention, art. 145).

Commented [LP-11]: Typo - double words

15. The challenge for the Authority is to adopt a policy and regulatory framework for environmental management that achieves the effective protection of the marine environment, under circumstances of considerable scientific, technical and commercial uncertainty. The framework should be effective, adaptive, practical and technically feasible. It must satisfy the extensive marine environmental protection requirements of the Convention, as well as take into account relevant aspects of the Sustainable Development Goals and other international environmental targets, instruments, such as the Global Biodiversity Framework and the legally binding agreement under the Convention for the conservation and sustainable use of biodiversity beyond national jurisdiction. The process for developing the framework and its implementation must be transparent and allow for stakeholder input. The development of regional environmental assessments and management plans, in particular, demands a collaborative and transparent approach to both the collection and the sharing of environmental data. The process must ensure the fully integrated participation of developing States, not least in connection with international obligations to build technical capacity.

Commented [LP-12]: Proposed addition by Canada

Commented [LP-13]: Canada suggest replacing targets with instruments to encompass both examples that follow.

² ISBA/28/C/9.

Promoting the sharing of the results of marine scientific research

16. Marine scientific research plays a critical role in the responsible management of the oceans and their resources. Such research is also vital to scientific advancement and to the effective, efficient and commercially and environmentally sustainable conduct of activities in the Area. It is first mentioned in the preamble to the Convention, and an entire chapter of the Convention (part XIII) is devoted to the subject, which is also addressed in relation to the Area in part XI and in the 1994 Agreement.

17. Under article 143 (2) of the Convention, the Authority must promote and encourage the conduct of marine scientific research in the Area and coordinate and disseminate the results of such research and analysis when available. The Authority may also carry out marine scientific research in its own right (Convention, art. 143 (2)). The need to ensure acquisition of scientific knowledge is identified among the priorities of the Authority (1994 Agreement, annex, sect. 1 (5) (i)). In addition, the Authority is required to encourage the design and implementation of appropriate programmes for the benefit of developing and technologically less developed States with a view to strengthening their research capabilities, training their personnel in the techniques and applications of research and fostering the employment of their qualified personnel in research in the Area.

18. Following the proclamation in 2017, by the General Assembly at its seventy-second session of the United Nations Decade of Ocean Science for Sustainable Development from 2021 to 2030, the Assembly of the Authority adopted in December 2020 a dedicated action plan in support of the United Nations Decade (the Action Plan for Marine Scientific Research)³. The Action Plan is structured around six strategic research priorities and it is recognized that its content will continue to evolve as new strategic research priorities are identified and endorsed by the members of the Authority. One of the flagship initiatives of the Authority for the implementation of the Action Plan for Marine Scientific Research is the Sustainable Seabed Knowledge Initiative, launched at the United Nations Ocean Conference in Lisbon in 2022.

17 bis The challenge for the Authority is to adopt strategies and to seek adequate resources to enable it to strengthen cooperation with States parties, the international scientific community, contractors and relevant international organizations, such as the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization of the United Nations (FAO), the International Hydrographic Organization, and collaborative scientific research programmes such as the Seabed Mining and Resilience to Experimental Impact (SMARTEx) and the Conservation and Restoration of Deep-sea Ecosystems in the Context of Deep-sea Mining (DEEP REST) projects, to obtain, assess and disseminate quantitative and qualitative data and information in an open and transparent manner.

The importance of capacity development and technology transfer in realizing the common heritage of mankind

19. Capacity development and technology transfer are closely linked and the Convention therefore sets out specific requirements to deal with them accordingly. The Authority is thereby required to take measures to acquire technology and scientific knowledge relating to activities in the Area (ibid., art. 144 (1) (a)) and to ensure a variety of both capacity-building and technology transfer mechanisms for developing States (ibid., art. 274). In line with this, States are required by the Convention to cooperate actively with competent international organizations and the

Commented [LP-14]: Given that the ISA is doing great work to promote the participation of women in MSR, Canada believes that a reference to gender priorities/initiatives should be mentioned in this part.

³ ISBA/26/A/17.

Authority to encourage and facilitate the transfer to developing States, their nationals and the Enterprise of skills and marine technology with regard to activities in the Area (ibid., art. 273).

20. The challenge for the Authority is to ensure that capacity development and technology transfer measures are developed and implemented effectively, subject to all legitimate interests, including the rights and duties of holders, suppliers and recipients of technology (ibid., art. 274) and that they reflect the needs of developing States, identified through transparent processes in which developing States are full participants. The Capacity Development Strategy of the Authority adopted by the Assembly in July 2022⁴ identified five key result areas with a view to guide the development and implementation of tailored programmes, projects and activities to address the needs identified by developing States, members of the Authority.

Facilitating the participation of developing States in activities in the Area

21. The Authority must promote the participation of developing States in activities in the Area. This is explicit in the Convention and the 1994 Agreement. Activities in the Area shall be carried out with a view to ensuring the expansion of opportunities for participation in such activities consistent with articles 144 and 148 (ibid., art. 150 (c)); the enhancement of opportunities for all States Parties, irrespective of their social and economic systems or geographical location, to participate in the development of the resources of the Area (ibid., art. 150 (g)); and the development of the common heritage for the benefit of mankind as a whole (ibid., art. 150 (i)). The challenge for the Authority is to identify mechanisms, including capacity development programmes, to ensure fully integrated participation by developing States in activities in the Area at all levels. This includes establishing the necessary mechanisms for the independent operation of the Enterprise in a way that meets the requirements of the Convention and the 1994 Agreement.

Equitable sharing of benefits

22. The Authority must adopt rules, regulations and procedures for the equitable sharing of financial and other economic benefits derived from activities in the Area (ibid., art. 140 (2)). Similar rules, regulations and procedures must also be adopted for the distribution of payments made through the Authority under article 82 (4) of the Convention, in respect of the exploitation of non-living resources on the continental shelf beyond 200 nautical miles (ibid., art. 82 (1)).

23. The challenge for the Authority in developing equitable sharing criteria is to understand the financial and economic model for deep seabed mining in an environment of considerable commercial uncertainty, including the trends of and the factors affecting supply, demand and prices of minerals which may be derived from the Area, bearing in mind the interests of both importing and exporting countries, and in particular of the developing States among them (ibid., art. 164 (2) (b)).

Organizational development

24. In accordance with the 1994 Agreement, the setting up and the functioning of the organs and subsidiary bodies of the Authority shall be based on an evolutionary approach, taking into account the functional needs of the organs and subsidiary bodies concerned in order that they may discharge effectively their respective responsibilities at various stages of the development of activities in the Area. It is also emphasized in the 1994 Agreement that, in order to minimize costs to States parties, all organs and

Commented [LP-15]: In Canada's view, this paragraph does not really address the sharing of benefits with beneficiaries. In addition, there is no reference to article 82, except in the first para. An additional paragraph may be needed on the challenges of the ISA in developing a mechanism for the equitable sharing of benefits that can advance the objectives of the ISA and the Convention while benefiting in particular those states which were identified as beneficiaries of focus.

⁴ ISBA/27/A/11.

subsidiary bodies to be established under the Convention shall be cost-effective (1994 Agreement, annex, sect. 1 (2)).

25. The challenge for the Authority is to respond effectively and efficiently to the needs of the regulatory regime and to be ready to perform its functions as a supervisory body in anticipation of the commencement of the commercial exploitation of deep seabed minerals. The Authority must continue to adapt, enhance and increase its structural and functional capacities at a rate that keeps pace with progress in deep sea mining, covers all necessary disciplines and ensures that adequate and appropriate levels of flexibility are built into the system.

24 bis As highlighted in the independent report on the contribution of the Authority to the achievement of the 2030 Agenda, a key challenge to creating an Authority with the necessary institutional capacities is that the financial resources of the Authority have not increased in line with its expanding responsibilities. It will be critical to ensure that adequate funding is available to support the evolution of the institutional and regulatory framework, especially during the transition from exploration to exploitation. It is essential to plan well in advance for the future evolution of the organization and its subsidiary bodies.

Transparency

26. Transparency is an essential element of good governance and is therefore a guiding principle for the Authority in the conduct of its business as a publicly accountable international organization. This includes transparency in the internal administration of the Authority, as well as its internal procedures, the procedures of its various organs and subsidiary bodies and its procedures towards States. Transparency plays a fundamental role in building trust in the Authority and in enhancing the Authority's accountability, credibility and support across its stakeholder base.

IV. Strategic directions

Strategic direction 1

Realize the role of the Authority in a global context

27. The Authority will implement the following mutually reinforcing strategic directions:

Strategic direction 1.1. Align its programmes and initiatives towards the realization of those Sustainable Development Goals which are relevant to its mandate.

Strategic direction 1.2. Establish and strengthen strategic alliances and partnerships with relevant subregional, regional and global organizations with a view to more effective cooperation in the conservation and sustainable use of ocean resources, consistent with the United Nations Convention on the Law of the Sea and international law, including the pooling of resources and funding, where appropriate, in particular in connection with marine scientific research, to avoid the duplication of efforts and to benefit from synergies.

Strategic direction 1.3. Build a comprehensive and inclusive approach to the development of the common heritage for the benefit of mankind as a whole that balances the three pillars of sustainable development.

Strategic direction 1.4. Promote the effective and uniform implementation of the international legal regime of the Area, including the Authority's rules,

regulations and procedures, and pay particular attention to the needs of developing States.

Strategic direction 1.5. Strengthen cooperation and coordination with other relevant international organizations and stakeholders in order to promote mutual “reasonable regard” between activities in the Area and other activities in the marine environment and to effectively safeguard the legitimate interests of members of the Authority and contractors, as well as other users of the marine environment.

Strategic direction 2

Strengthen the regulatory framework for activities in the Area

28. The Authority will implement the following strategic directions:

Strategic direction 2.1. Adopt rules, regulations and procedures covering all phases of deep sea mineral exploration and exploitation on the basis of best available information and in line with the policies, objectives, criteria, principles and provisions set out in the Convention and the 1994 Agreement.

Strategic direction 2.2. Ensure that the rules, regulations and procedures governing mineral exploitation incorporate best practices for environmental management and are underpinned by sound commercial principles in order to ~~promote~~ attract investment on a “level playing field” amongst contractors and with respect to land-based mining and that they reflect evolving best practices from land-based mining sector governance, in accordance with the Convention and the 1994 Agreement.

Strategic direction 2.3. Ensure that the legal framework for activities in the Area is adaptive and responsive to new technology, information and knowledge and advances in international law relating to the Area, in particular in connection with international law rules on responsibility and liability.

Strategic direction 2.4. Ensure that the regulatory framework gives due consideration to and promotes the participation of developing States in activities in the Area in accordance with the Convention and the 1994 Agreement.

Strategic direction 2.5. Advance the development of the regulatory framework for activities in the Area, taking into account trends and developments relating to deep seabed mining activities, including objective analysis of world metal market conditions and metal prices, trends and prospects, through a predictable process with clear timelines, based on consensus, and that allows for stakeholder input in appropriate ways.

Strategic direction 2.6. Continue to monitor the potential impact of mineral production from the Area on the economies of developing land-based producers of those minerals that are likely to be most seriously affected, with a view to minimizing their difficulties and assisting them in their economic adjustment and develop possible criteria for economic assistance.

Strategic direction 3

Protect the marine environment

29. The Authority will implement the following strategic directions:

Strategic direction 3.1. Progressively develop, implement and keep under review an adaptive, practical and technically feasible regulatory framework, based on best environmental practices, for the protection of the marine environment from harmful effects which may arise from activities in the Area.

Commented [LP-16]: Canada suggests using “attract” as the terminology used in UNCLOS instead of: “promote”. We also suggest elaborating on the concept of “level playing field” and best practices.

Commented [LP-17]: Canada believes that this part should include a reference to binding environment thresholds that will be decided on during this time period.

Commented [LP-18]: Canada believes that this part should also include a reference to effective stakeholders’ consultations.

Strategic direction 3.2. Develop, implement and keep under review regional environmental assessments and management plans for all mineral provinces in the Area where exploration or exploitation is taking place to ensure sufficient protection of the marine environment as required by, inter alia, article 145 and Part XII of the Convention.

Strategic direction 3.3. Ensure broad public access to environmental information, including environmental information from contractors, and participation by stakeholders, as appropriate, including by further developing and reinforcing the operational capabilities of DeepData.

Strategic direction 3.4. Develop scientifically and statistically robust monitoring programmes and methodologies to assess the potential risk for activities in the Area to interfere with the ecological balance of the marine environment.

Strategic direction 3.5 Develop appropriate regulations, procedures, monitoring programmes and methodologies to prevent, reduce and control pollution and other hazards to the marine environment, as well as interference with the ecological balance of the marine environment, prevent damage to the flora and fauna of the marine environment and implement the relevant requirements relating to the protection of the marine environment as contained in Part XII of the Convention.

Commented [LP-19]: Canada believes that this should be broad access to information, not just environmental.

Strategic direction 4

Promote and encourage marine scientific research in the Area

30. The Authority will implement the following strategic directions:

Strategic direction 4.1. Continue to promote and encourage the conduct of marine scientific research with respect to activities in the Area, with particular emphasis on research related to the environmental effects of activities in the Area.

Strategic direction 4.2. Collect and disseminate the results of research and analysis, when available.

Strategic direction 4.3. Strengthen and, as appropriate, establish strategic alliances and partnerships with relevant subregional, regional and global organizations to advance the strategic research priorities of the Action Plan in support of the United Nations Decade of Ocean Science for Sustainable Development⁵, including the Intergovernmental Oceanographic Commission of UNESCO, FAO and the International Hydrographic Organization and collaborative scientific research programmes, and the sharing of data and information in an open and transparent manner, avoid the duplication of efforts and benefit from synergies.

Strategic direction 4.4. Be proactive in engaging with the international scientific community through workshops and sponsored publications and by promoting access to non-confidential information and data, in particular those data relating to the marine environment.

Strategic direction 4.5. Compile summaries of the status of environmental baseline data and develop a process to assess the environmental implications of activities in the Area (Convention, art. 165 (2) (d)).

Commented [LP-20]: Given that the ISA is doing great work to promote the participation of women in MSR, Canada believes that a reference to gender priorities/initiatives should be mentioned in this part.

Commented [LP-21]: Canada suggests that this section could benefit from language related to "unknowns and uncertainties" - as a way to show what science is still unknown and could be prioritized for future MSR.

⁵ ISBA/26/A/17.

Strategic direction 5

Developing the capacity of developing States

31. The Authority will implement the following strategic directions:

Strategic direction 5.1. Ensure that all capacity development programmes and measures and their delivery are meaningful, tangible, efficient, effective and targeted at the needs of developing States, as identified by developing States.

Strategic direction 5.2. Develop the ISA Partnership Fund as the main platform for resource mobilization, capacity development and the provision of technical assistance.

Strategic direction 5.3. Enable capacity development measures to be mainstreamed into relevant initiatives.

Strategic direction 5.4. Build on the achievements of the contractors' training programmes and assess their long-term impact and contribution to capacity development of developing States .

Strategic direction 6

Ensure fully integrated participation by developing States

32. The Authority will implement the following strategic directions:

Strategic direction 6.1. Continue to promote and seek opportunities for fully integrated participation by developing States in the implementation of the regime for the Area, paying special attention to the needs of land-locked and geographically disadvantaged States, small island developing States and the least developed countries.

Strategic direction 6.2. Undertake a review of the extent of the participation by developing States in the Area, identify and understand any specific barriers to such participation and address them accordingly, including through targeted outreach and partnerships.

Strategic direction 6.3. In cooperation with States parties, initiate and promote measures providing opportunities to personnel from developing States for training in marine science and technology and for their full participation in activities in the Area (Convention, art. 144 (2) (b)).

Strategic direction 6.4. Carry out a detailed resource assessment of the reserved areas that are available to the Enterprise and developing States.

Strategic direction 6.5. Identify possible mechanisms for to the independent operation of the Enterprise in a way that meets the objectives of the Convention and the 1994 Agreement.

Strategic direction 7

Ensure equitable sharing of financial and other economic benefits

33. The Authority will implement the following strategic direction:

Strategic direction 7.1. Adopt and apply in a transparent manner rules, regulations and procedures for the equitable sharing of financial and other economic benefits derived from activities in the Area.

Strategic direction 7.2. Adopt and apply in a transparent manner rules, regulations and procedures for the equitable sharing of payments and contributions in kind made pursuant to art.82(4) of UNCLOS.

Strategic direction 8

Improve the organizational performance of the Authority

34. The Authority will implement the following strategic directions:

Strategic direction 8.1. Strengthen its institutional capacity and functioning through the allocation of sufficient resources and expertise to deliver its work programmes.

Strategic direction 8.2. Ensure a fuller, more active and more informed participation by members of the Authority and other stakeholders through the adoption of working methods that are focused, targeted and effective and delivered under enhanced conditions of transparency and accountability, leading to a more inclusive approach to decision-making.

Strategic direction 8.3. Keep work programmes and working methodologies under review such that they achieve the objectives set by members of the Authority within a reasonable time frame and in a cost-effective manner through improved planning and management.

Strategic direction 8.4. Assess long-term options for funding its operations.

Commented [LP-22]: Canada believes the word 'efficient' should be included in the first sentence. Intersessional working groups have produced an impressive amount of work and a reference to them should also be considered.

Strategic direction 9

Commit to transparency

35. The Authority will implement the following strategic directions:

Strategic direction 9.1. Communicate information about its work in a timely and cost-effective manner.

Strategic direction 9.2. Ensure public access to non-confidential information.

Strategic direction 9.3. Adopt clear, open and cost-effective working practices and procedures and ensure that the chain of responsibility and accountability of all relevant actors is fully understood and properly managed in the development, implementation and enforcement of technical, environmental, operational, scientific and safety regulations and standards for activities in the Area.

Strategic direction 9.4. Implement a stakeholder communications and consultation strategy and platform which facilitates open, meaningful and constructive dialogue, including on stakeholder expectations.

Commented [LP-23]: Suggested addition

V. Expected outcomes

36. Successful implementation of the plan and its strategic directions will result in the delivery of:

(a) A comprehensive legal framework for carrying out activities in the Area for the benefit of mankind as a whole (Convention, art. 140 (1)), including necessary measures to ensure:

- (i) Effective protection for the marine environment (ibid., art. 145);
- (ii) Effective protection of human life (ibid., art. 146);
- (iii) Orderly, safe, and rational management of the resources of the Area, including the efficient conduct of activities in the Area and, in accordance with sound principles of conservation, the avoidance of unnecessary waste (ibid., art. 150 (b)), drawing on the best available scientific evidence and generally accepted applicable international rules and standards.

(b) An appropriate mechanism to provide for the equitable sharing of financial and other economic benefits derived from activities in the Area on a non-discriminatory basis (ibid., art. 140 (2)), as further directed by the objectives, principles and requirements set out in article 13 (1) of annex III to the Convention and section 8 of the annex to the 1994 Agreement.

(c) The ability to promote and encourage the conduct of marine scientific research in the Area and to coordinate and **effectively** disseminate the results of such research and analysis when available, as required under article 143 (2) of the Convention.

(d) The ability to acquire technology and scientific knowledge relating to activities in the Area and to promote and encourage the transfer to developing States of such technology and scientific knowledge so that all States Parties benefit therefrom (ibid., art. 144, and as further governed by the principles set out in the 1994 Agreement, annex, sect. 5) and to promote the effective participation of developing States in activities in the Area as specifically provided for in part XI (Convention, art. 148).

(e) An Authority with the institutional capacity, public acceptance, credibility and state of **readiness needed** to act as a **“fit-for-purpose” an effective** regulator of activities in the Area by reference to contemporary benchmarks, and as a publicly accountable supervisory body that facilitates access to information and values contributions by stakeholders.

(f) Enhanced effectiveness and reach of the Authority in carrying out its functions under the Convention through **effective** two-way stakeholder communication.

(g) An effective contribution by the Authority to the achievement of relevant Sustainable Development Goals by alignment of its programmes and initiatives.

(h) Identification and prioritization of technical assistance needs for developing States, including those to help facilitate fully integrated participation in activities in the Area.

(i) The establishment of a monitoring programme to observe, measure, evaluate and analyse, by recognized scientific methods, on a regular basis, the risks or effects of pollution of the marine environment resulting from activities in the Area, ensure that existing **rules, regulations and procedures are adequate** and are complied with and coordinate the implementation of the monitoring programme (ibid., art. 165 (2) (h)).

(j) **Monitoring and review of trends and developments relating to deep seabed mining activities, including objective analysis of world metal market conditions and metal prices, trends and prospects and the study of the potential impact of mineral production from the Area on the economies of developing land-based producers of those minerals which are likely to be most seriously affected, with a view to minimizing their difficulties and assisting them in their economic adjustment**(1994 Agreement, annex, sect. 1 (5) (d) and (e)).

(k) Operationalization of the Enterprise as foreseen in the Convention and the 1994 Agreement.

Commented [LP-24]: Suggested addition to reflect language in article 143 (2) of UNCLOS.

Commented [LP-25]: Canada would suggest these edits.

Commented [LP-26]: Canada would suggest considering “meaningful” instead to avoid repetition of effective.

Commented [LP-27]: Canada believes the reference should be to RRP

Commented [LP-28]: Canada believes an element of fairness with regards to land-based mining should be included in this paragraph or a separate one, based on the text of the Annex to the Agreement, section 8 (1) (b): The rates of payments under the system shall be within the range of those prevailing in respect of land-based mining of the same or similar minerals in order to avoid giving deep seabed miners an artificial competitive advantage or imposing on them a competitive disadvantage;