



## Council

**Advance Unedited Version**  
7 July 2023

English only

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### **Twenty-eighth session**

Council session, part II

Kingston, 10-21 July 2023

Agenda item 14 of the agenda

**Report of the Chair of the Legal and Technical Commission  
on the work of the Commission at its twenty-eighth session**

## **Report of the Chair of the Legal and Technical Commission on the work of the Commission at the second part of its twenty-eighth session**

### **Addendum**

#### **I. Introduction**

1. The second part of the twenty-eighth session of the Legal and Technical Commission of the International Seabed Authority held from 28 June to 7 July 2023. A total of 33 members participated in the meetings. Adolfo Maestro Gonzalez, Malcolm Clark and Mark Alcock contributed to agenda items by email. Following extant practice, Becky Hitchin participated in the meetings in her capacity as a candidate nominated by the Government of the United Kingdom for election to fill a vacancy on the Commission.
2. On 6 July 2023, the Commission pursuant to Rule 19 (2) of the legal and technical Commission<sup>1</sup>, nominated Michelle Walker to represent the Commission at the upcoming meetings of the Council and to, upon invitation of the Council, respond to questions when a matter of particular relevance or complexity relating to the work of the Commission is under consideration.

#### **II. Activities of the contractors**

##### **A. Implementation of training programmes under plans of work for exploration and allocation of training opportunities**

3. On 28 June, the Commission was briefed on the status of the contractor training programmes. From March 2023 to date, 2 training placements for the benefit of candidates from developing States had been successfully implemented. 25 were in progress and 23 were pending.<sup>2</sup>
4. The Commission noted the importance of capacity development and training programs in building sustainable expertise of member States. It discussed the overarching significance of the training programme, as one of the capacity

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<sup>1</sup> See ISBA/6/C/9

<sup>2</sup> ISBA/28/LTC/4 and ISBA/28/LTC/6

development programmes, activities and initiatives implemented by the Authority as part of the capacity development strategy adopted by the Assembly in 2022<sup>3</sup>, as well as its value with regard to the creation of a pool of experts from developing States. The Commission also noted efforts by the Secretariat to establish an alumni network of former trainees from the contractors' training programme and requested updates on this initiative be provided at the twenty-ninth session.

5. The Commission continues to focus on application of skills and the prospects available to trainees after training programmes to ensure overall professional development. It further discussed strategies to increase the participation of women in deep-sea research, specifically, to strengthen efforts undertaken by the Authority and contractors in advancing women's empowerment and leadership in marine scientific research.
6. The Commission noted with appreciation that since March 2023, an increasing number of contractors<sup>4</sup> had pledged to allocate 50% of their training placements to qualified women and urged contractors that had not done so to join the pledge. The Commission discussed the contractor training programme selection process and factors, such as gender, and geographic balance considerations in the evaluation of candidates as well as the need to break barriers, by balancing considerations of factors such as age and career level with a view to creating opportunities for young women in scientific careers.
7. On the basis of the recommendations of the training subgroup, the Commission selected 17 candidates intersessionally for the training programmes provided pursuant to five exploration contracts namely: Global Sea Mineral Resources NV, Institut français de recherche pour l'exploitation de la mer, Beijing Pioneer Hi-Tech Development Corporation, Interoceanmetal Joint Organization and the Republic of Korea.<sup>5</sup>
8. On 5 July, the Commission, on the basis of the recommendations of the training subgroup, selected 15 candidates for the remaining programmes offered by 4 contractors namely: Deep Ocean Resources Development Co. Ltd., the Federal Institute for Geosciences and Natural Resources of Germany, Tonga Offshore Mining Limited and Nauru Ocean Resources Incorporated.
9. On 6 July, the Commission participated in the fourth end of training certificate presentation ceremony to recognize 29 trainees who had successfully completed their contractor training programmes between July and December 2022. The awardees included 7 female and 22 male, from 14 developing States<sup>6</sup>. The Commission commends the Contractors' continued efforts in delivering training for the benefit of candidates from developing States.

## **B. Annual reports of contractors**

10. During the second part of its twenty-eighth session, the Commission considered 30 annual reports on activities carried out by the contractors in 2022, submitted pursuant to section 10 of the standard clauses for exploration contracts. The Commission expressed appreciation to the secretariat for its support in the evaluation of the annual reports.
11. Following extant practice, the Commission set up three working groups to review the legal, financial, and training, geological and technological, and environmental aspects of the annual reports. It dedicated five out of the eight days of meetings (30

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<sup>3</sup> ISBA/27/A/11

<sup>4</sup> BGR, BMJ, CPRM (former ISA contractor), DORD, IFREMER, Marawa, NORI, TOML, UKSR

<sup>5</sup> *ibid*

<sup>6</sup> comprised by one SIDS, eight LDCs, one LLDC and one SIDS/LDC

June, 3 4, 5 and 6 July) for the consideration of the annual reports within its respective working groups.

12. In addition to specific comments on each report to be conveyed to the individual contractors by the Secretary-General, the Commission provided general comments, as set out below.

**Legal, financial, and training aspects**

13. The Commission acknowledged that contractors had on a general note, provided responses to the questions raised by the Commission in the previous year. It further noted that contractors complied with the relevant templates for reporting. It was noted that contractors had largely met the deadline for the submission of the annual report. The Commission reminded contractors that had missed the deadline to ensure timely submission of annual reports in the future, in accordance with the Regulations.
14. While most contractors complied with their plans of work, the Commission noted with concern that some contractors continue to fail to carry out their agreed exploration activities and requested those contractors provide details to the Commission explaining the lack of progress. The Commission commended contractors for international cooperation initiatives and collaboration efforts. It noted however, that such initiatives should not serve as a substitute to the obligation on contractors to carry out exploration activities in accordance with the terms of contract.
15. The Commission expressed concern that some contractors had indicated in their annual reports that the absence of a regulatory framework for exploitation creates legal uncertainty and serves as an obstacle for proceeding with certain aspects of their respective plans of work, as a result of which they intend to limit and focus efforts mainly on desk-study work. In light of this, the Commission requested the Secretary-General to communicate such concerns to the specific contractors and request them to specify the legal grounds for declining to implement certain aspects of their plans of work and the reasons for the suggested modifications in the absence of proper consultation with the Authority. Whilst the Commission will continue monitoring the work of those contractors, with the expectation that their work will be carried out in accordance with their respective commitments, the Commission wishes to bring this concern to the attention of the Council.
16. The Commission further noted that although training activities were disrupted by the COVID-19 pandemic, several contractors, after consultations with the Secretariat, amended their training plans and have made significant progress in providing training opportunities. It noted that out of the 98 training placements in 2022, 28 (29%) were allocated to women, with a projection to reach a selection rate of 65% by the end of 2023. The Commission noted with appreciation that 2 more contractors had joined the pledge to allocate 50% of their training opportunities to qualified women, under the Women in Deep-Sea Research Project, and urged contractors that had not done so to join the pledge to contribute to increase the number of qualified women applicants. Contractors who had deferred opportunities until 2024 were encouraged to make effort to deliver those opportunities.
17. The Commission noted with regret that one contractor had not provided any training opportunities during its entire contract period. Whilst it noted the difficulties such contractor had experienced, the Commission requested it to fulfil its obligations in accordance with its plan of work and to provide information to the Secretariat on its plans thereof, as soon as possible.
18. The Commission noted that expenditure levels for a number of contractors had been far lower than estimated and reminded that, explanations on such variance should be made by contractors who had not done so. A review was done on which contractors'

actual expenditures were less than planned in the calendar year 2022, as well as had cumulatively spent less in their current five-year period programme of activities. In this regard 14 contractors (47%) spent less than planned in 2022 and cumulatively less in their current five-year period. Of these 14 contractors, 9 had under spent by more than 30% in 2022. The Commission also noted that, although expenditure remained lower than predicted for some contractors, encouraging improvements had been made in comparison to previous years. Conversely, on a positive note, some contractors had incurred far greater expenditure than expected.

### **Geological and technological aspects**

19. The Commission acknowledged that effects of COVID-19 on exploration activity had decreased as reflected in the number of cruises conducted. It noted the contractors carried out 23 exploration campaigns in 2022 and reinforced the 2021 number of cruises. The total within the last 5 years (2018 to 2022) was 103 cruises ranging from a low 14 in 2020 due to the covid-19 pandemic to 23 cruises in 2021 and 2022. The Commission was satisfied with the trend towards returning to the levels of exploration activity before the COVID-19 pandemic.
20. The Commission noted that some contractors had not complied with all requirements in ISBA/21/LTC/15, notably those in section III on the “Result of exploration work” (e.g. Ship track, bathymetry). In addition, it noted that the delivery of digital data should be improved for most contractors using the DeepData database templates.
21. Regarding polymetallic nodule exploration activities, the Commission noted that there was a large difference in the degree of progress towards mining and processing technology by contractors. It noted that some contractors had succeeded in testing components at sea, whilst others were still conducting conceptual design of mining systems. Some contractors had not provided information regarding mining technology. The Commission requested that contractors consider cooperating/collaborating with other contractors in the development of mining systems and processing technology.
22. The Commission noted that some contractors’ report on results of analysis and studies of samples collected from previous years did not indicate specific sources of data regarding years of cruises. It requested for such contractors to provide information in accordance with ISBA/21/LTC/15. It further noted that answers from contractors to the questions on geological and technical aspects raised in the previous reports had been satisfactory.
23. The Commission requested Contractors whose contracts were coming to an end, to provide information on their strategy to prepare for the exploitation stage as specified in ISBA/21/C/19 and annex section 1 paragraph 9 of the Agreement implementing part XI of the Convention.
24. The Commission encouraged contractors to contribute bathymetric data to the ISA's Area 2030 initiative, which is intended to compile all available bathymetric data from contractors for the various ocean areas with the aim to facilitate the complete mapping of the global ocean floor by the year 2030.

### **Environmental aspects**

25. The Commission noted that in 2022, owing partly to the continuing impacts of the COVID-19, some contractors focused on desk-based studies such as laboratory analyses. It noted that the environmental impact assessment and on-going impact monitoring of the pilot mining tests by the contractors were very encouraging, and it would be very useful to understand the mining test impact on the deep-sea environment and for the establishment of regulatory regimes.

26. The Commission further noted that many of its comments from on the 2022 annual reports were similar to comments made in previous annual reports reviews and that some of the contractors had not complied with the requests made in those comments. It noted that repeated comments had been made regarding the scope and format of the annual reports, the analyses requested to be undertaken, and the results of analyses requested. Relevant issues in that regard include the following:
- i. In a case where a contractor holds licenses for two exploration contract areas, but only conducts exploration work and baseline studies for one of those contracts, both annual reports considerably overlap. Activities in each contract area should be kept separate, and not reported against another area
  - ii. Some contractors limited their exploration work and environmental baseline studies to a limited part of their exploration contract area. Under their exploration contract, exploration work and baseline studies need to be conducted across their exploration contract area.
  - iii. Some contractors reported on the work plan of scientific projects operating within/near their contract areas, such work should be separated into appendices rather than the body of the report where it appears the contractor had been involved directly.
  - iv. Some contractors had not used the revised template (ISBA/21/LTC/15/Corr.1) for the submission of raw digital data to the Secretariat.
27. The Commission recommended Contractors to implement the following:
- i. Collaborate to share image libraries of species as has been shown in the CCZ, for improved consistency of species identification and more wide-ranging regional data.
  - ii. In instances where contractors use standards developed outside those of the Authority, they are encouraged to collaborate in preparing a comparison table on the requirements of the standards used for their environmental studies and the recommendations from ISBA/25/LTC/6/Rev.2.;
  - iii. The programme of activities for the following year in the annual report should contain enough detail for the Commission to evaluate performance during the following year's report assessment.
  - iv. The Commission appreciates that one Contractor included voluntary consideration of areas of high biodiversity or endemic fauna in their relinquishment processes. If other Contractors are considering following this approach, the Commission encourages the Contractors to include information on this in their annual report.
28. The Commission considered the request by the Council to name contractors that had either responded inadequately or failed to respond to calls from the Council to address issues of concern as to implementation of their plans of work. In that regard, and to adequately engage with these matters within the consideration of annual reports, the Commission identified a number of general trends that require further consideration as to the performance of contractors and as reflected in the previous paragraphs.
29. The Commission, having taken into consideration the legal aspects associated with the naming of contractors, agreed to continue consideration of the issue, including by identifying criteria for naming contractors within the intersessional period, once contractors respond to the comments and questions formulated in this year's annual

reports review with the aim of attending to the Council's request. The Commission decided that it will consider the matter during the first part of the 29<sup>th</sup> session, with the aim of naming contractors that either do not respond or respond inadequately during the next reporting cycle.

30. In addition, the Commission considered a note prepared by the Secretariat intended to facilitate dialogue between the Commission and the contractors on matters pertaining to the implementation of their plans of work, that could significantly contribute to improved performance by contractors and the provision of better and more timely information to the Council. Such a dialogue could take place following the preliminary review of the annual reports or as the case may be, periodic reviews by the Secretariat and on a case-by-case approach.
31. In addition, the Commission had received a request from a contractor for considering creating an avenue for regular engagement with contractors, to ensure that the latter can advance their projects in alignment with the Commission's expectations. With that in mind, the Commission would have such a dialogue within the context of the consideration of annual reports, on a case-by-case basis, as an opportunity to follow-up the progress of specific contractors on the implementation of their exploration activities, as well as on the concerns identified in the review of annual reports of some contractors.

### **C. Relinquishment of areas under contracts for exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts**

32. On 28 June, the Commission took note of a notification of relinquishment of one third of the area from the Ministry of Natural Resources and Environment of the Russian Federation (MNRE) allocated to it under its contract for exploration for cobalt-rich ferromanganese crusts.
33. On the same day, it reviewed and agreed to recommend to the Council to approve a request from the Government of India to defer relinquishment of parts of its contract area under its contract for exploration for polymetallic sulphides, information justification of the request is available in [ISBA/28/LTC/7](#).
34. The Commission on 29 June 2023 noted that the dates requested by India to defer their relinquishment would mean that it would then be obligated to perform its first and second relinquishment at the same time.

## **III. Regulatory activities of the Authority**

### **A. Development of standards and guidelines (environmental threshold values)**

35. On 28, 29 and 30 June, the Commission considered this item, taking note of comments conveyed to it by Council during part I of the twenty-eighth Session. The Commission considered these comments and revised the terms of reference with respect to the proposed Terms of Reference (TOR) for an intersessional expert group (IEG) to support the development of Environmental Threshold Values.
36. The Commission decided, however, to keep the number of experts of the IEG at a maximum of 10 for each subgroup. This decision was made particularly related to the Council's request in ISBA/27/C/42 to complete the development of environmental thresholds within phase 1 of the ongoing development of standards and guidelines, thus providing a short time frame for the IEG to complete its work.
37. It noted that a small group of experts would work more efficiently, taking into account that the IEG would be expected to work entirely online for cost and time efficiency, also requested by the council in ISBA/27/C/42. The online format,

however, makes it difficult for large groups to participate adequately, particularly given that the geographic representation required in the groups would involve different time zones. It is highlighted that the limit of 10 participants for each subgroup is not exclusive of input from other stakeholders, as the selected experts can draw on their professional networks, allowing external information to be incorporated into the development of the thresholds in the early stages. Furthermore, a stakeholder consultation process will be launched on the IEG draft reports.

38. The Council decided in ISBA/27/C/42 that, as an initial step, the IEG should work on the three specific topic areas (i) toxicity, (ii) turbidity and settling of resuspended sediments, and (iii) underwater noise and light pollution. Where additional environmental pressures potentially caused by deep-sea mining are identified, they may be addressed at a later stage.
39. With respect to the timeline, the Commission agreed that the proposed timeline was indicative and subject to the development of the workplans by the respective IEG subgroups. The Commission considered it appropriate to open a call for the submission of relevant data and information to support the work of the IEG, after an initial scoping by each subgroup.
40. The IEG subgroups would comprise, two co-chairs, and one alternate co-chair, in addition to the ten experts. The Commission members will not be counted among the experts per group. The composition of experts will be based primarily on scientific and technical expertise and experience, taking into account geographic representation and gender balance. The following members were appointed as co-chairs and alternates of the intersessional expert subgroups:
  - Toxicity: Dao Viet Ha and Carsten Rühlemann; alternate: Moreno Andrés Camaño;
  - Turbidity and settling of resuspended sediment: Malcolm Clark and Tomohiko Fukushima; alternate: Se-Jong Ju
  - Underwater noise and light pollution: Mark B. Alcock and Theophile Ndougsa Mbarga; alternate: Becky Hitchin.
41. A call for nomination of experts is expected to be open by the Secretariat from 14 July 2023 to 15 September 2023. Member States and other stakeholders are invited to submit nominees for the respective groups.

**B. Review of the recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area.**

42. On 29 June, the Commission took note of a report presented by the Secretariat on a chronology of activities in 2021 to 2023 related to the conduct of the Environmental Impact Statement evaluation by Nauru Ocean Resources Incorporated for a polymetallic nodule collector system component test campaign as well as supervisory activities by the Secretariat in relation to the investigation of the overflow event.
43. On 29 June, 3 and 4 July, the Commission considered the request by the Council in decision ISBA/27/C/44 for the Commission to revise ISBA/25/LTC/6/Rev.2. In that decision, the Council noted that the current process for reviewing environmental impact statements in relation to the testing of mining components or other activities requiring an environmental impact assessment during exploration, should be revised to ensure that recommendations of the Commission to the Secretary-General on the basis of paragraph 41(e), including its underlying rationale, should be sent to the

Council for informational purposes. The Council also requested that any recommendation, along with the final environmental impact assessment, should be published on the website of the Authority.

44. The Commission revised the recommendation in accordance with the request of the Council. The Secretariat will reissue this as ISBA/25/LTC/6/Rev.3<sup>7</sup>.

#### **IV. Environmental management planning**

##### **A. Development of a standardized approach for the development, approval and review of regional environmental management plans**

45. The Commission discussed the revision of the draft guidance to facilitate the development of Regional Environmental Management Plans (REMPs) (ISBA/27/C/37), as requested by the Council in its decisions (ISBA/26/C/10\_and paragraph 13 of ISBA/27/C/44) in light of the written comments submitted by the delegations. Following its preliminary consideration of the 8 written submissions in March, the Commission considered the comments in different categories (legal and policy, process-related, and technical) and noted the need for further work on several key issues identified.
46. The Commission tasked its REMP working group to undertake further revision of the draft guidance. The working group agreed on a schedule to meet during the intersessional period between September and October 2023 to discuss the revisions needed. It was agreed that the inter-sessional work would facilitate the revisions needed to address the key issues identified in the written submissions, and to provide rationale and justifications related to its considerations, with a view to providing a revised version of the draft guidance for the consideration of the Commission in its next meeting.
47. The Commission took note of a preliminary summary of the outcomes of the workshop held between 1 to 5 May in Chennai, India on the Development of a Regional Environmental Management Plan for the Area of the Indian Ocean, with a focus on the Mid-Ocean Ridges and Central Indian Ocean Basin, and the continued work in finalizing the workshop report and the background information documents by the workshop co-chairs.
48. The Commission also took note of the forthcoming workshop planned to be held in Tokyo, Japan on the development of a REMP the Northwest Pacific Ocean in February 2024. The workshop will build on the results of the previous workshops held in Qingdao, China in 2018 and the online REMP workshop in 2020.

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<sup>7</sup> The revised paragraph reads –

41 (e) The Commission will continue and finalize its review on the basis of annex I, paragraph 69 to the present recommendations and will provide a recommendation to the Secretary-General as to whether the environmental impact statement should be incorporated into the programme of activities under the contract. The Secretary- General will inform the contractor accordingly. Such a recommendation, including its underlying rationale, will be sent by the Secretary General to the Council for informational purposes and will be published on the website of the Authority, along with the final environmental impact statement;



## V. Data management

### **Review of the data management strategy of the Authority for the period 2023 – 2028**

49. On 5 July, the Commission welcomed the significant progress made by the Secretariat in relation to data management of the Authority. The Commission endorsed the direction and priorities set out in the Draft Strategic Roadmap for the period 2023-2028 to leverage data for the implementation of the ISA Action Plan for Marine Scientific Research prepared by the Secretariat and agreed to provide continued support for its implementation and monitoring.
50. The Commission will conduct intersessional work and organise an online meeting on 14 November 2023 to discuss and provide input to develop a workplan for implementing the Strategic Roadmap. The Commission will consider the results of this work in its next meeting during the twenty-ninth Session.
51. The Commission also took note of the DeepData user manual for the Secretariat data manager persona and the DeepData reporting template guidance for the submission of digital data prepared by the Secretariat.

## VI. Matters referred to the Commission by the Council

### **Use of the silence procedure in the adoption of decisions by the Commission and improvement of procedures for greater transparency.**

52. The Commission was provided with a report by the Secretariat summarising the procedure and methodology adopted by the past Commission in the use of silence procedure during the twenty-sixth and twenty-seventh sessions<sup>8</sup>. The Commission noted that the procedure had been used to consolidate the working practices at a time where in person meetings were not possible, by ensuring the necessary flexibility for members of the Commission to consult and progress discussions. As a result, the use of the silence procedure became a tool at the disposal of the Commission to work beyond the schedule of in person meeting and ensure efficiency as well as continuity in its work. Furthermore, it noted that the use of silence is a confirmatory process as objections can be raised but if none is raised, it supports consensus building.
53. The Commission further noted that several aspects of its work had to be continuous in nature and sometimes time sensitive, considering that not all members of the Commission are able to attend the whole of every meeting, the use of silence procedure could continue to serve as a useful tool in assisting the Commission advance with its work during the intersessional period. Taking into account that the silence procedure was not incompatible with the rules of procedure of the Commission. Thorough discussions within the Commission will always take place before placing each document under silence procedure, as the silence procedure is a means for decision making at the end of, and not a substitute for the consultation process in the Commission.
54. The Commission noted that it would continue to use the silence procedure in combination with its remote and in person plenary meetings and will consider the flexibility of the time limit of 72 hours depending on the nature of, and technicality or otherwise of the report that needs to be adopted and also taking into consideration

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<sup>8</sup> See ISBA/28/LTC/5

the time of the year. The Commission agreed to use the procedure contained in annex I of ISBA/28/LTC/5 as its guide.

## **VII. Other matters**

### **A. Implementation of the strategic plan of the Authority for 2019–2023**

55. On 6 July, the Commission took note of the report and status of the implementation of the strategic plan of the Authority for the period 2021-2023. It was recalled that the Assembly, in its decision ISBA/25/A/15 relating to the implementation of the strategic plan for the Authority for the period 2019-2023, committed to the strengthening of existing working practices of the Authority and accordingly, invited members of the Authority and observers, as well as the organs of the Authority, to support the implementation of the strategic plan and the high-level action plan.
56. The Commission noted that due to impact of the COVID-19 pandemic on the work of the organs of the Authority, reporting for the period 2021-2022 could not be undertaken. Accordingly, the reporting presented to the Commission covered the period 2021-2023. The Commission noted that for this reporting period, it had been assigned responsibilities for 25 high-level actions and 30 associated outputs.
57. The Commission further noted that as of May 2023, 52% (16) of the assigned high-level actions and outputs had been completed whilst 48% (15) were still in progress. All outputs assigned for the reporting period under strategic directions 1 (“Realize the role of the Authority in a global context”), 8 (“Improve the organization performance of the Authority”) and 9 (“Commit to transparency”) had been completed.
58. The status of completion of high-level actions and associated outputs assigned to the Commission for the reporting period 2021-2023 is provided in annex I of this report. Further information and details of the work undertaken against all outputs have been compiled by the secretariat and are in annex II.

### **B. Women in Marine Scientific Research project**

59. On 6 July, the Commission was briefed on the World Ocean Day celebration held on 8 June 2023 organized by the Secretariat online. The Commission was informed that during the celebration, the mentoring programme<sup>9</sup> “See Her Exceed” (S.H.E), initiated under the Women in Deep-Sea Research project,<sup>10</sup> was launched. The Commission took note that currently eight senior experts have been engaged to take up a mentorship role and that the applications for mentees are open until 31 August 2023.
60. The Commission commended the project and the importance of its key expected outcome namely to empower and enhance the leadership of women scientists from developing States through the increase of their role and participation in deep-sea research. The Commission welcomed the invitation to act as ambassadors of S.H.E, including by supporting the dissemination of information and identifying potential mentees and mentors in their respective networks. The mentoring programme would aim to increase the representation of women scientists from developing States, including LDCs, LLDCs and SIDS in deep-sea research.

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<sup>9</sup> <https://www.isa.org.jm/widsr-mentoring-programme/>

<sup>10</sup> <https://www.isa.org.jm/capacity-development-training-and-technical-assistance/widsr-project/>

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### **C. ISA's engagement in Inter-governmental Conferences**

61. On 4 July, the Commission took note of an update of the activities of the Secretariat on the topic of deep-sea plastic pollution, especially in light of the ongoing negotiations on the international legally binding instrument on plastic pollution. The Secretariat informed that it is currently finalizing a consultancy, which assessed the potential contribution of the Authority to promoting investigation on plastic pollution in the deep seabed. The consultancy also included a study on the occurrence and distribution of microplastics in the deep sea, which will provide input on marine plastics to the development of the international legally binding instrument on plastic pollution. The Commission welcomed this work and took note of a potential project on developing an ocean health indicator for the deep seabed, which is being developed by the Secretariat based on the results of this work.
62. On 6 July, the Commission took note of the participation of the Secretariat in the process of negotiation of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity in areas beyond national jurisdiction (BBNJ). It noted that the Authority, by recommendation of its member states, participated in the respective Intergovernmental Conference with the objective of representing the perspectives of the Authority and its mandate during the discussions, highlighting the relevance of its provisions for the Authority and to identify any potential overlaps with its role and mandate, and the possible contribution of ISA to their successful implementation.

**Annex I****Status of completion of high-level actions and related outputs assigned to the Legal and Technical Commission for the reporting period 2021–2023.**

<i>Strategic directions</i>	<i>Number of items relevant to the reporting period</i>	<i>Completed</i>		<i>In progress</i>	<i>On hold</i>	<i>Completion rate (percentage)</i>
		<i>Ongoing</i>	<i>Achieved</i>			
Strategic direction 1: realize the role of the Authority in a global context	1	1	–	–	–	100%
Strategic direction 2: strengthen the regulatory framework for activities in the Area	4	2	–	2	–	50%
Strategic direction 3: protect the marine environment	14	4	3	7	–	71%
Strategic direction 4: promote and encourage marine scientific research in the Area	1	–	–	1	–	Not applicable
Strategic direction 5: build capacity for developing States	5	–	1	4	–	20%
Strategic direction 6: ensure fully integrated participation by developing States	3	2	–	1	–	67%
Strategic direction 7: ensure equitable sharing of financial and other economic benefits	–	–	–	–	–	Not applicable
Strategic direction 8: improve the organizational performance of the Authority	1	1	–	–	–	100%
Strategic direction 9: commit to transparency	2	2	–	–	–	100%
<b>Total</b>	<b>31</b>	<b>12</b>	<b>4</b>	<b>15</b>	<b>–</b>	<b>52%</b>

## Annex II

### **Status of implementation by the Legal and Technical Commission of the relevant high-level actions and related outputs for the reporting period 2021–2023**

The status of implementation by the Legal and Technical Commission of the relevant high-level actions and related outputs for the reporting period 2021–2023 is available (in English only) at the following URL: [annex-II-LTC-Outputs-2021-2023-rev-19\\_05\\_23.pdf \(isa.org.jm\)](#)

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