

**Interim Report on the Immediate Measures of the Secretary-General of the
Authority dated 27 November 2023**

1. On 27 November 2023, the Secretary-General of the Authority issued interim measures (“Interim Measures”) pursuant to Regulation 33 of the Regulations on Prospecting and Exploration for Polymetallic Nodules (“Regulations”). This interim report of the Secretary-General addresses the following matters:
 - (a) The facts leading to the promulgation of the Immediate Measures;
 - (b) The promulgation of the Immediate Measures;
 - (c) The implementation of the Immediate Measures;
 - (d) Legal proceedings between Nauru Ocean Resources Inc (“NORI”) and Greenpeace International (“Greenpeace”);
 - (e) Communications with the Kingdom of the Netherlands; and
 - (f) Observations by Secretary-General to the Council.
2. Appended to this report, I provide the Council with a chronology of the relevant events (Annex I) as well as a link to all videos and photos (with time stamps) provided by NORI to the Authority (Annex II).

A. Factual background

3. As summarised in my Notification of the Immediate Measures dated 27 November 2023, on 25 November 2023 and 26 November 2023 the Authority received information from NORI concerning the conduct of Greenpeace and the crew of the *Arctic Sunrise*. In its letters, NORI alleged that Greenpeace representatives had severely interfered with NORI’s conduct of activities in the Area. Pursuant to the Contract for Exploration for Polymetallic Nodules between the International Seabed Authority and Nauru Ocean Resources Inc dated 22 July 2011 (“Contract”), NORI is entitled to carry out exploration in the NORI-D Contract Area (which is defined with reference to coordinates in Schedule 1 of the Contract). On 23 November 2025, when the alleged interference by Greenpeace commenced, NORI (and specifically its exploration vessel, the *MV Coco*, sailing under the flag of the Kingdom of Denmark) was engaged in activities in the NORI-D Contract Area in accordance with the recommendations of the Legal and Technical Commission and NORI’s annual programme of work. These activities took the form of post-disturbance sample collection, mapping, mooring, redeployment, and seabed asset recovery (as foreshadowed in the 2022 Annual Report of NORI). The purpose of post-disturbance monitoring was to obtain data about any post-disturbance impacts that the NORI integrated nodule collection system may have had on the environment (which was tested in the NORI-D Contract Area in October 2022). Consistent with the recommendations of the Legal and Technical Commission, NORI intended to

complete this campaign in 2023, i.e., a year after the test of the collection system, which has now been prevented. This is also preventing the Authority from accessing critical environmental data as to the post-disturbance impacts of the collection system one year after the test of the system.

4. According to NORI, since 23 November 2023, the Greenpeace vessel *Arctic Sunrise* and Greenpeace kayaks and zodiacs have refused to maintain a safe distance from the exploration vessel of NORI, the *MV Coco*, despite repeated warnings from the latter. NORI further alleged that, on 25 November 2023, four Greenpeace representatives climbed on board without authorization from the captain of the *MV Coco*. The communications of Greenpeace to NORI indicated that Greenpeace intends to continue such conduct until the *MV Coco* ceases its exploration activities. The circumstances described in NORI's letters indicated that safety of life had been put at risk and raised the threat of an incident liable to cause harm to the marine environment. In addition, given the reported refusal of the *Arctic Sunrise* to maintain a safe distance from the *MV Coco*, I noted that the contingency measures in place to prevent a threat of serious harm to the environment and avoid the collision of an exploration vessel with other vessels (in accordance with Section 6 of Appendix II of the Contract) were constrained by a series of factors pertaining to the refusal of Greenpeace to follow the call of NORI addressed to them. NORI's allegations were corroborated by photo and video recordings provided to the Authority on 26 November 2023 (*see Annex II*), which *prima facie* indicated the presence of Greenpeace representatives on board the *MV Coco* and serious interference with the operations of *MV Coco* in the manner NORI described.
5. On 26 November 2023, I invited Greenpeace to comment on NORI's allegations. On 27 November 2023, Greenpeace responded, emphasizing that it had been engaged in a "*peaceful protest*", and denying that the crew of the *Arctic Sunrise* had "*caused*" any safety risk. However, Greenpeace did not deny that it had failed to respect warnings from the *MV Coco* to maintain a safe distance (as per the contingency measures expected from NORI), nor that it has severely interfered with the operations of *MV Coco*.
6. On 26 November 2023, I informed the Kingdom of the Netherlands of the allegations raised by NORI. I note that the Kingdom of the Netherlands is both the flag State of *Arctic Sunrise* and the jurisdiction where the headquarters of Greenpeace International is located. I regret that no response has been received so far from the Kingdom of the Netherlands. On 27 November 2023, I informed the Kingdom of Denmark, under the flag of which the *MV Coco* sails, of the same. Subsequently, the Kingdom of Denmark confirmed that its competent authorities were assessing the issues brought to their attention.

B. The promulgation of Immediate Measures

7. By contrasting and comparing the allegations of NORI and the information provided by Greenpeace, and considering the photo and video recordings provided by NORI, I was compelled to conclude, on a *prima facie* basis, that the circumstances unfolding in the NORI-D Contract Area presented a serious threat to the safety of life at sea and potential threat to the marine environment. Since Greenpeace did not deny that it had disregarded the warnings of the *MV Coco* concerning a minimum safe distance between vessels, and considering the fact that the *MV Coco* deploys equipment on the seabed, I further concluded that the issuance of immediate measures was necessary to prevent a threat of serious harm to the marine environment from materializing. The standard clauses in Annex IV of the Regulations (Section 6) provide that warnings issued to avoid a situation where another vessel is about to enter the immediate vicinity of the contractor's vessel are measures aimed precisely at the prevention of environmental harm. Consequently, the fact that such warnings, provided for in the Regulations, were not complied with, means that a key measure devised to avoid environmental harm was ignored by the crew of the *Artic Sunrise*.
8. In taking immediate measures of a temporary nature, I was not required to conduct a full factual investigation into the factual allegations before me, nor was such a factual inquiry even possible, precisely as a result of the inherent time constraints that require prompt regulatory intervention in an emergency situation. The assessment of the facts alleged proceeded on a *prima facie* basis.
9. In reaching these conclusions, I had due regard to Regulation 31(2) of the Regulations, i.e., my duty to apply a precautionary approach. My actions were also carried out in my capacity as the chief administrative officer of the Authority, in a situation where the allegations before me concerned the ability of a contractor to perform its obligations owed to the Authority, and where the Authority itself is under an obligation to ensure that the contractor is able to carry out its legitimate activities under the plan of work for exploration without undue interference.
10. Upon the promulgation of the Immediate Measures, I promptly notified the President of the Council, the Members of the Council, the Members of the Authority and Observers of the Authority as well as the Chair of the Legal and Technical Commission of the promulgation of the Immediate Measures. In addition, on the evening of 27 November 2023, I transmitted my Notification of the Immediate Measures to Greenpeace and NORI. On 27 November 2023, I also requested confirmation from NORI that, notwithstanding the events described in NORI's letters, NORI remains able to comply with its contractual obligations owed to the ISA, in particular in respect of the safety of life at sea.

11. On 27 November 2023, NORI commenced proceedings before the courts of the Netherlands in order to obtain urgent relief against Greenpeace. I address these proceedings further below.

C. The implementation of the Immediate Measures

12. On 28 November 2023, Greenpeace communicated to the Authority that it considers the Immediate Measures to be “void” and without “legal effect”. In particular, Greenpeace contested the competence of the Authority to investigate “*protest actions at sea*”. Greenpeace also referred to the fact that proceedings had been underway before the courts of the Kingdom of the Netherlands which, according to Greenpeace, has “*exclusive*” jurisdiction over the matter. I disagree with the observations of Greenpeace.

13. **It is my conclusion based on the reports submitted by NORI, and failure of Greenpeace to provide any further update to the Authority contrary to Paragraph 8(d) of the Notification of Immediate Measures, that Greenpeace does not intend to comply with the Immediate Measures to any extent and further refuses to recognize any competence of the International Seabed Authority over the matter at hand.** This undermines the effective implementation of the relevant provisions of the United Nations Convention on the Law of the Sea (“UNCLOS”) as well as the 1994 Agreement relating to the Implementation of Part XI of UNCLOS, and interferes with the exclusive competence and mandate conferred upon to the Authority to regulate, organize and control activities to be carried out in the Area, under a contract signed by the Authority.

14. Since 28 November 2023, NORI has provided regular updates as to the circumstances on board and in the vicinity of the *MV Coco*. These updates have indicated that Greenpeace “*pressed*” watercraft against the hull of the *MV Coco* and positioned Greenpeace representatives directly under the remotely operated vehicle (“ROV”) launch point of the *MV Coco*. NORI alleged *inter alia* that the fast rescue craft of Greenpeace “*rammed into the port side of the MV Coco to remain underneath the launch point during the transit and remained there once the transit was completed*”. As a consequence of the conduct of Greenpeace, NORI has been unable to continue its ongoing activities, i.e., the compilation of scientific and environmental data and specifically the completion of the so-called post-disturbance monitoring described above.

15. NORI has also indicated to the Authority that, with the approval of the authorities of the Kingdom of Denmark (as the flag State of the *MV Coco*), it intends to deploy water hoses to dissuade Greenpeace representatives from approaching the ROV launch point. On 30 November 2023, I invited the Kingdom of Denmark to confirm its position on this issue. I understand from NORI’s further updates that, while the water

hoses were deployed on 30 November 2023, Greenpeace continued to obstruct the operation of the launch point regardless.

16. Based on NORI's reports, and the failure of Greenpeace to provide any further update, I noted with increasing concern that circumstances presenting a threat to safety of life at sea persist, and that Greenpeace refuses to engage with the Authority to any extent on this serious and pressing matter. NORI's communications also indicate that, contrary to its programme of activities, NORI is now prevented from carrying out post-disturbance monitoring (which was initially requested by the Legal and Technical Commission).
17. On 2 December 2023, I received a letter from Tonga Offshore Minerals Limited ("TOML"). In its letter, TOML emphasized that it is in partnership with NORI in respect of NORI's current activities in the Area and, as a result, the actions of Greenpeace have also undermined the ability of TOML to perform its programme of activities agreed pursuant the Contract between TOML and the Authority dated 11 July 2012 (in particular, "*the recovery of long-term oceanographic moorings currently in the NORI-D contract area and the redeployment of them in the TOML-F area*").
18. On 3 December 2023, I communicated my concerns to NORI, and reminded NORI that, consistent with its obligations under the Contract, it is imperative that it continues to collect environmental data and takes all lawful measures at its disposal to ensure that its exploration activities may continue.

D. Legal proceedings between NORI and Greenpeace in the Netherlands

19. As mentioned above, on 27 November 2023, NORI commenced proceedings before the Amsterdam Court against Greenpeace. A hearing was held on 28 November 2023 and a decision was handed down on 30 November 2023 (the "Decision"). Pursuant to the Decision, Greenpeace was ordered to instruct its representatives to disembark from the *MV Coco*. However, the Decision failed to grant NORI's request that the crew of the *Arctic Sunrise* should maintain a distance of 500m from the *MV Coco*. According to NORI's report of 1 and 2 December 2023, Greenpeace continued its interference with the operations of the *MV Coco* following the Decision, and continued to prevent the deployment of NORI's equipment.
20. There are a number of points in the Decision which are of particular interest to the Authority and Members of the Council.
21. First, the Decision briefly addresses the Immediate Measures, and expresses doubts as to their binding nature. However, the Immediate Measures were *not* emergency orders pursuant to Article 162(2)(w) of UNCLOS, the adoption of which remains the competence of the Council. The stated and intended purpose of the Immediate

Measures was to “*call upon*” Greenpeace and NORI to take particular steps with a view to – at least provisionally – resolving the situation unfolding in the NORI-D Contract Area; and to “*call upon*” the Kingdom of the Netherlands to consider what measures are warranted in the light of the circumstances which prompted the promulgation of the Immediate Measures.

22. Second, the Decision confirms that Greenpeace should adhere to the 1972 Convention on the International Regulations for Preventing Collisions at Sea (“COLREGS”), but the Decision appears to have failed to include any specific measures to give effect to COLREGS. As the continued actions of Greenpeace indicate, Greenpeace construes the Decision effectively as a permission, allowing its watercraft to be pressed against the *MV Coco* without keeping any distance, and its representatives to be positioned under the ROV launch point of the *MV Coco*. The Decision, in rejecting NORI’s request that Greenpeace be ordered to respect a safety zone, also failed to recognize that UNCLOS itself provides for 500m safety zones as a means to ensure safety at sea. Article 260 of UNCLOS provides that “[s]afety zones of a reasonable breadth not exceeding a distance of 500 meters may be created around scientific research installations in accordance with the relevant provisions of this Convention. All States shall ensure that such safety zones are respected by their vessels.” Accordingly, applying a safety zone to the deployment of scientific equipment in support of scientific activities, conducted pursuant to an exploration contract granted by the Authority, is fully consistent with the objectives of Article 260 and UNCLOS.
23. Third, consistent with the observations at paragraph 6 of the Notification of Immediate Measures, the Decision also recognizes that Greenpeace does not in fact deny the existence of safety hazards in the present circumstances, it merely appears to argue that notwithstanding any such safety hazards its actions are somehow permissible.
24. Fourth, according to the Decision, Greenpeace appears to have provided false information to the Amsterdam Court. Specifically, Greenpeace alleged that it had not been notified of the Immediate Measures. Contrary to the submissions of Greenpeace, the Authority notified Greenpeace of the Immediate Measures on 27 September 2023, at 10:13pm Kingston time. Greenpeace acknowledged receipt of this notification and responded to it on 28 September 2023, at 7:23am Kingston time, which I understand was shortly before the commencement of the hearing before the Amsterdam Court on 28 September 2023. I note with concern that Greenpeace appears to have made misrepresentations to the Amsterdam Court concerning the conduct of the Authority, and the Court appears to have proceeded on the basis of such misrepresentations in arriving at its conclusions.

25. I have instructed the Secretariat to assess the implications of the Decision and to obtain information from NORI as to any further procedural steps they may take.

E. Communications with the Kingdom of the Netherlands

26. Upon the receipt of NORI's complaints of 25 November 2023, I transmitted NORI's allegations (and the evidence accompanying them) to the Kingdom of the Netherlands on 26 November 2023. In my letter, I recalled that "*Article 94 of UNCLOS imposes an obligation on the flag State to take steps to ensure the observance of all applicable international regulations concerning the safety of life at sea*". **I also requested the Kingdom of the Netherlands to consider, as a matter of urgency, any necessary measures in the light of the circumstances described in NORI's communications to the Authority.**

27. **On 27 November 2023, as part of the Immediate Measures, I called upon the Kingdom of the Netherlands to "to consider, as a matter of utmost urgency, what measures, if any, are warranted pursuant to international law and the laws of the Netherlands concerning the conduct of Greenpeace and the Arctic Sunrise in the present circumstances" (reference is made to Paragraph 8(g) of the Notification of Immediate Measures). I have not received any information from the Kingdom of the Netherlands as to whether it has complied with the Immediate Measures.**

28. In further letters dated 28 November 2023, 30 November 2023 and 1 December 2023, I repeatedly urged the Kingdom of the Netherlands to urgently consider any necessary regulatory steps, as the flag State of the *Arctic Sunrise*. In doing so, I referred to the obligations of State parties under Articles 87(2) and 147(3) of the UNCLOS, and to Paragraph 8(g) of the Notification of Immediate Measures. I have also pointed out that that the actions of Greenpeace and the crew of the *Arctic Sunrise* may amount to undue interference with the rights and interests of the Authority. Regrettably, the Kingdom of the Netherlands has not responded formally to my requests, despite my repeated emphasis of the utmost urgency of the matter.

F. Observations by the Secretary-General to the Council

29. While the Secretary-General is empowered by the Regulations to take immediate measures, any such measure is inherently temporary. The competence to exercise supervision over activities in the Area ultimately rests with the Council pursuant to Article 162(2)(a) and (l) of UNCLOS.

30. In the present case, it has become evident that the Immediate Measures promulgated by the Secretary-General have been insufficient to remedy the situation and allow the contractor to pursue its activities without undue interference.

31. There is a real risk that NORI's inability to continue its exploration activities in the NORI-D Contract Area may lead to a situation of non-compliance with the Regulations and the terms of the Contract and may expose all parties involved (including the Authority) to potential liability under the applicable laws (including international law).
32. In its daily updates since the promulgation of the Immediate Measures, NORI has repeatedly requested the Authority to consider and provide an update to NORI as to "*what next steps the ISA intends to take to ensure that NORI can resume its exploration activities*". Since the supervisory competence over activities in the Area rests with the Council, I invite the Council to consider what additional steps are necessary to restore the uninterrupted exercise of the rights and performance of obligations of NORI, and thereby to protect the rights and interests of the Authority.
33. For the time being, the position of Greenpeace is to defy the mandate of the Authority in controlling and organizing activities in the Area. Moreover, Greenpeace appears to consider it permissible to interfere with and prevent the exercise of rights of contractors under contracts signed with the Authority, even at the cost of causing safety hazards. As such, the conduct of Greenpeace amounts to an open challenge of the capacity and responsibility of the Authority to prevent and sanction any interference with exploration activities which are conducted pursuant to UNCLOS, the Regulations, the decisions of the Council and the Contract.
34. Even if Greenpeace had any grounds to contest the validity or "*legal effect*" of the Immediate Measures (which, for the avoidance of any doubt, it does not have), Greenpeace, a non-State actor, is an observer to the Authority. Pursuant to paragraph 8 of the Guidelines for observer status of non-governmental organizations with the International Seabed Authority (ISBA/25/A/16), approved by the Assembly, Observers are expected to contribute to the work of the Authority. As matters stand, Greenpeace outright obstructs the work of the Authority, including by preventing the collection of environmental data, which was requested by the Legal and Technical Commission. This plainly stands at odds with the Authority's basic expectations from its Observers, as does Greenpeace's blatant disregard of the calls of the Authority: (a) to maintain a safety distance from the *MV Coco* of at least 500 m; (b) to refrain from interfering with the operation of *the MV Coco*; and (c) to report to the Authority on a daily basis.
35. Delays in NORI's post-disturbance monitoring may prevent the Authority from accessing environmental data on the circumstances that prevail a year after the collector test (which the Authority would then make publicly available to all stakeholders). Consequently, environmental data obtained in 2024 cannot substitute missing data from 2023. The purpose of the exploration carried out by NORI is, *inter*

alia, to obtain sufficient and reliable environmental data to enable the Authority to determine whether any exploitation rights should be granted in the NORI-D Contract Area in the future. I note with disappointment that Greenpeace appears to be determined to prevent gathering environmental data on the basis of which the Authority would be in a position to continue its assessment of the environmental impact of activities in the Area. This cannot be in the interest of any party committed to the protection of the marine environment, since it results in undermining the benefits expected for humankind in complying with the international requirements established by UNCLOS and the different organs of the Authority.

36. Further, I note that I have not received any information from the Kingdom of the Netherlands, which now leaves four letters unanswered. As a result, I do not have any information as to whether the flag State of the *Arctic Sunrise* complied with its obligations under UNCLOS in regulating, sanctioning and preventing conduct that interferes with activities in the Area and results in serious safety hazards.

37. The Area and its resources are the common heritage of humankind. I recall that all State Parties to UNCLOS have a duty, under Article 157(4), to “*fulfil in good faith the obligations assumed by them in accordance with [Part XI of UNCLOS] in order to ensure to all of them the rights and benefits resulting from membership.*” State Parties, including the flag State of the *Arctic Sunrise*, “*shall have the responsibility to ensure that activities in the Area, whether carried out by States Parties, or state enterprises or natural or juridical persons which possess the nationality of States Parties or are effectively controlled by them or their nationals, shall be carried out in conformity with [Part XI]*” (Article 139(1) of UNCLOS). In addition, Article 146 of UNCLOS imposes an obligation on the Authority “*to ensure effective protection of human life*”, “[w]ith respect to activities in the Area”. State parties are required to co-operate with the Authority in carrying out its mandate, and the “*general conduct of States in relation to the Area shall be in accordance with the provisions of [Part XI of UNCLOS]*” (pursuant to Article 138 of UNCLOS). This entails an obligation to ensure that the rules, regulations and procedures of the Authority, including the Regulations, are implemented, and contractual rights conferred upon contractors in accordance with the provisions of the Regulations are preserved. Consistent with the above, Article 87(2) of UNCLOS provides that freedoms of the high seas “*shall be exercised by all States [...] with due regard for the rights under this Convention with respect to activities in the Area*”, including the rights of contractors. I invite the Council to consider the foregoing fundamental provisions in addressing the recent events in the NORI-D Contract Area.

38. I have instructed the Secretariat to share this Report with all Members of the Council.
I remain at the disposal of the Council to assist the Council in carrying out its responsibility to supervise activities in the Area.

Kingston, 4 December 2023

A handwritten signature in black ink, appearing to read "Michael W. Lodge". The signature is written in a cursive style with some loops and flourishes.

Michael W. Lodge

Annex I
Chronology

Chronology of events in the NORI-D contract Area since 21 November 2023		
Date / time (Kingston time)	Event / alleged event	Source of information
21 or 22 November 2023 <i>(date uncertain as per correspondence)</i>	The Greenpeace vessel, <i>Arctic Sunrise</i> , arrived in the NORI-D contract area.	NORI letter to ISA SG / LTC of 25 November 2023 NORI letter to Greenpeace of 22 November 2023 (attached to NORI letter to ISA SG / LTC of 25 November 2023)
22 November 2023	NORI received a formal notification from Greenpeace International of their intention to undertake a peaceful protest of current scientific campaign of NORI in the NORI-D contract area	NORI letter to ISA SG / LTC of 25 November 2023 and its enclosure (email from Sarah Crompton to Gerard Barron and Corey McLachlan of 22 November 2022)
	NORI acknowledges the receipt of the notification from Greenpeace.	NORI letter to Greenpeace of 22 November 2023
23 November 2023	According to NORI, Greenpeace commences disruptive actions, “deliberately” positioning Greenpeace representatives in dangerous vicinity to the <i>MV Coco</i> and disregarding requests by <i>MV Coco</i> that Greenpeace and the <i>Arctic Sunrise</i> maintain a safe distance.	NORI letter to ISA SG / LTC of 25 November 2023 NORI letter to Greenpeace of 23 November 2023
24 November 2023	According to NORI, disruptive actions of Greenpeace continue.	NORI letter to ISA SG / LTC of 25 November 2023 NORI letter to Greenpeace of 25 November 2023
25 November 2023 <i>(at some point before 1pm Kingston time)</i>	NORI writes to Greenpeace requesting Greenpeace to cease to interfere with the operations. NORI points out that Greenpeace’s conduct over 23 November 2023 and 24 November 2023 resulted in one kayak capsizing, and placing a banner on a cable that was deploying equipment under considerable tension.	NORI letter to Greenpeace of 25 November 2023

25 November 2023 <i>(at some point before 1pm Kingston time)</i>	In response to the letter from NORI of the same day, Greenpeace informs NORI that it will not cease its protest, positing that a protest may be disruptive while still peaceful.	25 November 2023
25 November 2023 13:00 Kingston time	NORI notifies the Secretary-General and the Chair of the Legal and Technical Commission of the ISA of the events unfolding in the NORI-D Contract Area, transmitting <i>inter partes</i> correspondence between NORI and Greenpeace up until this point.	NORI letter to ISA SG / LTC of 25 November 2023
25 November 2023 <i>(later in the day at an unspecified time)</i>	Two Greenpeace representatives board the <i>MV Coco</i> , according to NORI without authorisation from the captain of <i>MV Coco</i> , climbing to the A-frame at the stern of the vessel and installing banners.	NORI letter to ISA SG / LTC of 26 November 2023
25 November 2023 <i>(later in the day at an unspecified time)</i>	Two additional Greenpeace activist join the Greenpeace activists already on board <i>MV Coco</i> , making the total number of Greenpeace activists on board four.	NORI letter to ISA SG / LTC of 26 November 2023
25 November 2023 <i>(later in the day at an unspecified time)</i> OR on 26 November 2023	Two Greenpeace activists leave the <i>MV Coco</i> , leaving two Greenpeace activists on board.	NORI letter to ISA SG / LTC of 26 November 2023
26 November 2023	The <i>Arctic Sunrise</i> reportedly approaches the <i>MV Coco</i> withing 100m despite warnings from the latter to refrain from doing so.	NORI letter to ISA SG / LTC of 26 November 2023
26 November 2023 16:47 Kingston time	NORI provides an update to the Secretary-General and the Chair of the Legal and Technical Commission concerning the events of 25 November 2023 and 26 November 2023.	NORI letter to ISA SG / LTC of 26 November 2023
26 November 2023 17:09 Kingston time	NORI shares an online link to photo recordings and materials that corroborate its allegations concerning the conduct of Greenpeace (<i>see Annex II</i>).	Email from NORI to the ISA SG at 17:09pm of 26 November 2023

26 November 2023 20:06 Kingston time	The Secretariat issues a note verbale to the Kingdom of the Netherlands, enclosing a letter from the Secretary-General to the Prime Minister of the Netherlands, requesting the Netherlands to consider actions based on NORI's allegations, and transmitting to the Netherlands NORI's correspondence to the Authority. In this correspondence, the Secretary-General points out that the allegations indicate that the rights and interests of the Authority may have been interfered with.	Note verbale from ISA SG to the MFA of the NL, with enclosures of 26 November 2023
26 November 2023 20:28 Kingston time	The Secretary-General sends a letter to Greenpeace, inviting the latter to comment on allegations raised by NORI and on the events unfolding in the NORI-D Contract Area.	Letter from ISA SG to Greenpeace International of 26 November 2023
26 November 2023	According to NORI, Greenpeace fast rescue craft monitors the use of ROV's by the <i>MV Coco</i> .	Letter from NORI to ISA SG dated 28 November 2023
27 November 2023	NORI commences proceedings against Greenpeace (specifically <i>Stichting Greenpeace Council</i> and <i>Stichting Phoenix</i>) before the Amsterdam Court, seeking injunction and restraining orders <i>inter alia</i> to ensure a safety distance and that Greenpeace protesters leave the board.	Decision of the Amsterdam Court of 30 November 2023
27 November 2023	Call between OLA of ISA and the legal representatives of NORI, in which NORI provides an update as to legal steps it plans to take in the Netherlands.	
27 November 2023 11:54 Kingston time	Greenpeace International responds to the Secretary-General. It does not deny the allegations of interference with the operation of <i>MV Coco</i> , but it denies causing any safety risk or threat to the marine environment. No evidence accompanies the letter of Greenpeace.	Letter from the Interim Executive Director of Greenpeace International to ISA SG of 27 November 2023
27 November 2023 16:36 Kingston time	Under a note verbale from the Secretariat to the MFA of the Kingdom of Denmark, the Secretary-General sends a letter to the Minister of Foreign Affairs of the Kingdom of Denmark, as the flag State of the vessel <i>MV Coco</i> , concerning the allegations raised by NORI.	Letter from the ISA SG the Minister of Foreign Affairs of the Kingdom of Denmark of 27 November 2023

27 November 2023 17:44 Kingston time	The Secretary-General writes to NORI, requesting confirmation that notwithstanding the events described in NORI's letters NORI remains able to comply with its contractual obligations owed to the ISA, in particular in respect of the safety of life at sea. The Secretary-General informs NORI that it has contacted the Kingdom of the Netherlands.	Letter from ISA SG to NORI of 27 November 2023
27 November 2023 <i>(between 20:00 and 21:45 Kingston time)</i>	The Secretary-General notifies the President of the Council, the Members of the Council, the Members of the Authority and the Chair of the Legal and Technical Commission of the Interim Measures promulgated.	Note verbal from ISA SG to the respective parties of 27 November 2023
27 November 2023 20:53 Kingston time	The Secretary-General notifies the Chair of the LTC of the Immediate measures	Letter from ISA SG to the Chair of the LTC of 27 November 2023
21:20 Kingston time	The Secretary-General notifies members of the Council of the Immediate measures	Note Verbale ISA/EOSG/2023/311
21:36 Kingston time	The Secretary-General notifies members of the Authority of the Immediate measures	Note Verbale ISA/EOSG/2023/312
21:52 Kingston time	The Secretary-General notifies Observers of the Authority of the Immediate measures	Email forwarding Note Verbale ISA/EOSG/2023/312 (for Members)
27 November 2023 22:13 Kingston time	The Secretary-General notifies Greenpeace International of the Immediate measures	Letter from the ISA SG to Greenpeace International of 27 November 2023
27 November 2023 22:29 Kingston time	The Secretary-General notifies NORI of the Immediate measures	Letter from the ISA SG to NORI of 27 November 2023
27 November 2023 <i>(possibly 28 November 2023 Kingston time in part)</i>	According to NORI, additional Greenpeace representatives climb on the A-frame, at some point totalling five Greenpeace representatives on board. According to NORI, two Greenpeace representatives remain directly underneath the ROV launch point for the day, preventing the	Letter from NORI to ISA SG of 28 November 2023

	<p>deployment of the ROV. Greenpeace boats drove their nose into the <i>MV Coco</i>.</p> <p>NORI communicated on 28 November 2023 that, as a result of Greenpeace actions, they are unable to undertake any exploration activities as a result of the conduct of Greenpeace.</p>	
<p>28 November 2023</p> <p>(“morning” as per NORI correspondence, but unclear what time zone)</p>	<p><i>MV Coco</i> communicates the contents of the Interim measures to the <i>Arctic Sunrise</i>. The crew of the <i>Arctic Sunrise</i> ignores this.</p>	<p>Letter from NORI to ISA SG of 28 November 2023</p>
<p>28 November 2023</p> <p>7:23 Kingston time</p>	<p>Greenpeace responds to the Secretary-General, indicating that the position of Greenpeace International is that Immediate measures are “void” and “without legal effect”</p>	<p>Letter from the Interim Executive Director to the ISA SG of 28 November 2023</p>
<p>28 November 2023</p> <p>8:00 Kingston time</p>	<p>A hearing commences before the Amsterdam Court.</p> <p>During the hearing, Greenpeace argues that it is not aware of the Interim Measures of the Secretary-General of the ISA.</p>	<p>Decision of the Amsterdam Court of 30 November 2023.</p>
<p>28 November 2023</p> <p>8:49 Kingston time</p>	<p>The Kingdom of Denmark communicates in <i>note verbale</i> that the information from the Secretary-General has been transmitted to competent authorities.</p>	<p><i>Note verbale</i> from the Kingdom of Denmark to the Secretariat of the ISA dated 28 November 2023</p>
<p>28 November 2023</p> <p>13:13 Kingston time</p>	<p>As per the request of the Chair of the LTC, the Secretariat transmits the Notification of Immediate Measures promulgated by the Secretary-General to the members of the LTC</p>	<p>Letter from the Secretariat to the Members of the LTC dated 28 November 2023</p>
<p>28 November 2023</p> <p>19:15 Kingston time</p>	<p>Under note verbale from the Secretariat to the Kingdom of the Netherlands, the Secretary-General provides an update to the Prime Minister of the Netherlands as to the allegations of NORI, the position taken by Greenpeace International, and requests the urgent consideration of this matter. The Secretary-General points out</p>	<p>Note verbale from the Secretariat to the MFA of the Kingdom of the Netherlands of 28 November 2023 and enclosures</p>
<p>28 November 2023</p>	<p>NORI provides its daily update consistent with the Immediate measures. It reports continued disruptive conduct by Greenpeace International, including positioning Greenpeace representatives and</p>	<p>Letter from NORI to the ISA SG of 28 November 2023</p>

18:37 Kingston time	their kayaks “next to and in the way of MV Coco, under the area of deployment of equipment and ROV”.	
29 November 2023 <i>(various events across the day)</i>	<p>NORI reports further disruptive conduct by Greenpeace.</p> <p>According to NORI, one of the Greenpeace protestors attempted to rappel up the rope thrown down from the top of the A-frame in the same manner as described for previous Greenpeace crew changes. In this instance, the individual misjudged the climb and a portion of their body landed in the ocean.</p> <p>Despite notification from the MV Coco that the MV Coco intends to deploy an ROV, requesting that Greenpeace representatives stay clear of the launch point. Reportedly, Greenpeace repeatedly refused this request and rammed into the port side of <i>MV Coco</i> to remain under the launch point.</p> <p>Allegedly, “<i>Magellan and NCT project management</i>” received confirmation from authorities of Denmark that they may deploy a water hose on 30 November 2023 (presumably that reference meaning local time for <i>MV Coco</i>) to dissuade Greenpeace representatives from staying under the ROV launch point.</p>	Letter from NORI to the ISA SG of 29 November 2023
30 November 2023 11:35 Kingston time	The Secretary-General provides further updates to the Kingdom of the Netherlands, noting with concern the failure of the Netherlands to formally respond to previous letters.	Note verbale from the Secretariat to the MFA of the Kingdom of the Netherlands, and enclosures.
30 November 2023 ~11am-12pm Kingston time <i>(presumably)</i>	Bailiff delivers the decision of the Court of Amsterdam to NORI, which partially grants the application of NORI, and orders Greenpeace to instruct its representatives to disembark from the <i>MV Coco</i> . Requests in respect of maintaining a safe distance are not granted.	Decision of the Amsterdam Court of 30 November 2023
1 December 2023	The Secretary-General transmits observations on the Decision of the Amsterdam Court of 30 November 2023 to the Kingdom of the Netherlands, and repeatedly urges the Kingdom of the Netherlands to consider what steps may be warranted.	Note verbale from the Secretariat to the MFA of the Kingdom of the Netherlands, and the enclosed letter from the ISA SG to the Prime Minister of the Kingdom of the Netherlands of 1 December 2023

1 December 2023	According to NORI, weather conditions have prevented the <i>Arctic Sunrise</i> from deploying the fast recovery crafts, but manoeuvres of the <i>Arctic Sunrise</i> still prevented NORI from recovering equipment from the control site.	Letter from NORI to the ISA SG and the Chair of the Legal and Technical Commission of 2 December 2023
2 December 2023	Tonga Offshore Mining Limited notifies the Authority that the conduct of Greenpeace also amounts to an interference with its programme of work, as it is in partnership with NORI in respect of the scientific campaign of the latter.	Letter from TOML to the ISA SG and the Chair of the LTC of 2 December 2023
3 December 2023	The Secretary-General reminds NORI that it is imperative to take all lawful steps in order to ensure that the exploration activities may continue in accordance with the programme of activities, and the post-disturbance monitoring in the NORI-D Contract Area continues.	Letter from the ISA SG to NORI of 3 December 2023

Annex II

Online link to video and photo recordings supplied by NORI

<https://metals.box.com/s/j1vuo02eyopoyhk8sexibfj1fatihblu>

(last accessed 4 December 2023)