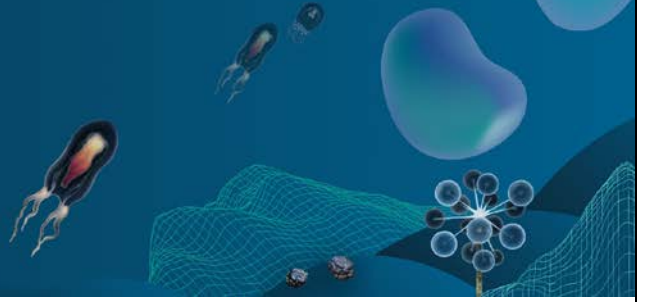




INTERNATIONAL SEABED AUTHORITY 29TH SESSION 2024



Information Note on matters for consideration by the Council of the International Seabed Authority during the first part of the twenty-ninth session of the Authority. (18-29 March 2024)

I. Introduction

1. The twenty-ninth session of the Council of the International Seabed Authority, as outlined in the roadmap approved during its July 2023 meetings ([ISBA/28/C/24](#)), is set to take place in two parts. The first part will consist of ten meetings held from March 18 to 29 March 2024, following the ten day meetings of the Legal and Technical Commission (4 to 10 March 2024). The second part is scheduled for 15 to 26 July 2024.
2. The purpose of this note is to inform members and observers of the International Seabed Authority on matters for consideration by the Council at its forthcoming March 2024 meeting. It provides an overview of the items on the provisional agenda of the Council ([ISBA/29/C/L.1](#)). The provisional agenda, the [indicative programme of work](#) and the [President's Briefing note on the consolidated text](#) have been placed on the Authority's [website](#). All official documents prepared for the upcoming meetings are placed on the website as they become available.
3. This note is to be read in conjunction with the note on [logistical and procedural aspects](#). Pre-session documents on consolidated text ([PDF/Word](#)), suspense document ([PDF / Word](#)) and associate documents are also available for ease of reference on the webpage for the twenty-ninth session and can be found under the section "Council" and then on the right-side menu under "Part I - 18-29 March 2024" (<https://www.isa.org.jm/session-29-council-part-1-2-2/>). All submissions from delegations and observers have been uploaded within the respective folders of the written proposals.
4. It is also recalled that in accordance with the system agreed upon for the allocation of seats among regional groups at the first session of the Council, it is the turn of the African Group to designate a member of the Group to participate in the meetings of the Council without the right to vote during the twenty-ninth session.

II. Adoption of the agenda (item 2 of the provisional agenda, Monday 18 March 2024)

5. The Council will open its session on Monday 18 March 2024. The first decision of the Council will be the adoption of its agenda for the entire twenty-ninth session in 2024. For this first part of the session, a total of 13 items out of 22 currently listed on the provisional agenda of the Council will be considered by the Council as indicated on the [indicative programme of work](#).

III. Elections of the bureau (items 3 and 4 of the provisional agenda, Monday 18 March 2024)

6. Following the adoption of the agenda, the Council will proceed with the election of the bureau. Pursuant to rule 22 of the Rules of Procedure of the Council, each year at its first regular session, the Council elects a President and four Vice-Presidents from among its members, so that each regional group is represented by one delegate.

7. Members of the Council are reminded that following the principle of rotation between regional groups, it is the turn of the Western European and Other States Group (WEOG) to nominate a candidate for the Presidency of the Council for the twenty-ninth session in 2024.

8. Concerning the nomination for Vice-Presidents, it would be very helpful to the Secretariat, and also so as to facilitate the smooth running of the opening session, if regional groups could coordinate on the candidate nominations for these positions in advance of the opening of the session of the Council, and to provide this information to the secretary of the Council, Marcelino Miranda (Mr.) at mmiranda@isa.org.jm at the earliest available opportunity.

IV. Election to fill a vacancy on the Legal and Technical Commission in accordance with article 163, paragraph 7, of the United Nations Convention on the Law of the Sea (item 6 of the provisional agenda, Monday 18 March 2024)

9. The President will invite the Council to elect a candidate to fill a vacancy on the Legal and Technical Commission. The note is contained in document [ISBA/29/C/3](#).

V. Report of the Chair of the Legal and Technical Commission on the work of the Commission at the first part of its twenty-ninth session (item 14 of the provisional agenda, Monday 18 and Thursday 28 March 2024)

10. On Monday 18 March 2024, the Council will receive a preliminary oral report on the work carried out by the Legal and Technical Commission during the first part of its session (4-15 March 2024). The interim report will be released during the second week of the meetings of the Council as soon as it is completed and translated into the official languages.

11. On Thursday 28 March 2024, the Council will receive the final report by the Commission. Subsequently, the Council may consider and take action on any specific recommendations made by the Commission.

12. An addendum to the Chair's report on the work of the Legal and Technical Commission will be issued at the end of the Commission's July meetings. As it has become the practice, the Council may adopt a decision on matters raised in those reports afterward.

VI. Consideration, with a view to adoption, of the draft regulations on exploitation of mineral resources in the Area (item 10 of the provisional agenda, 18-27 March 2024)

Presentation of the consolidated text of the draft regulations on exploitation of mineral resources in the Area

13. The Council will continue its consideration of the Draft Regulations on the exploitation of mineral resources in the Area, as a matter of priority. As indicated in the annex to decision [ISBA/28/C/24](#) and the [ISBA/28/C/11/Add.2](#) Annex II, it was agreed that a consolidated text of the draft regulations would be prepared as an outcome of the twenty-eighth session. In respect of the format of the consolidated text, this will be one single document that reflects all the work carried out so far by the informal working groups and in the president's text.

14. The consolidated text was prepared under the leadership of the President of the twenty-eighth session with the technical assistance of the Secretariat. The consolidated text was prepared using the same working modalities employed for the preparation of the respective texts discussed in the context of the various working groups during the 27th and 28th session. Accordingly, and consistent with the previous drafting modalities, both (i) substantive amendments to the previous iteration of the provisions made during or since the conclusion of third part of the 28th session and (ii) parts of the Draft Regulations in relation to which opposition remained (either in the context of discussions during the 28th session or in written submissions) remain in colour. Brackets continue to indicate where, based on the past discussions and written proposals, further discussions are required as to whether the inclusion of a particular provision is necessary, as well as to flag proposed alternative wordings. It is reminded that this consolidated text will be subject to further negotiation and discussion. Its main objective is to better harmonize and clean the text based on what has been agreed and discussed by delegations so far. The principle that “nothing is agreed until everything is agreed” still applies.

15. As indicated in the [President’s Briefing note](#), on Monday 18 March 2024 the President will provide a presentation of the **consolidated text** of the draft regulations on exploitation of mineral resources in the Area, the **suspense document** retaining in particular draft provisions which are now proposed to be considered as part of the elaboration of draft standards and guidelines and a **compilation document**. The consolidated text is available in [PDF format](#) and in [Word format](#), as well as the suspense document in [PDF format](#) and [Word format](#).

Working modalities

16. The informal working group settings will continue to progress some thematic topics which represent some of the key issues that require further discussions, with a view to reaching agreements on outstanding issues and finalizing the negotiations of the consolidated text. It is recalled, as it has been the standard practice, that there will be no meeting of these groups in parallel. In case that any informal working group finishes its discussions before the allocated time, the President may decide to go into a Plenary to use that remaining time to discuss the consolidated text. As indicated in the [President’s Briefing note](#), negotiations between delegations of member States in *informal informals* will be open to both delegations and observers. As is the case in most other international organizations, including the United Nations, observers will be restricted from making statements during *informal informals* but will be permitted to make general statements in plenary.

17. The tenth meeting of the Open-ended Working Group in respect of the development and negotiation of the financial terms of a contract under article 13, paragraph 1, of annex III to the United Nations Convention on the Law of the Sea and section 8 of the Annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (OEWG), chaired by His Excellency Olav Myklebust (Norway), is scheduled for Monday 18, Tuesday 19 and Wednesday 20 March 2024. The focus of the discussion will be on the royalty mechanism and review mechanism, as well as environmental externalities. The Chair of the OEWG has prepared a [Briefing paper](#) that has been published on the ISA website for the [29th session of the Council](#).

18. The *informal informals* meeting on Equalization Measures will be held on Tuesday 19 March 2024. The rapporteur is Australia.

19. The *informal informals* meeting on the Inspection Mechanism will be held on Friday 22 March 2024. The rapporteur is Norway.

20. On Wednesday 21, Thursday 22, Monday 25 and Tuesday 26 March 2024, negotiations of the consolidated text will be conducted under the leadership of the President. The consolidated text provides the opportunity to conduct detailed negotiations with the aim of closing gaps, erasing remaining divergences and finding consensus. The President will guide the negotiations to reach consensus on remaining aspects of the text that still present divergent views on key issues.

21. The seventh meeting of the Informal Working Group on the Protection and Preservation of the Marine Environment will convene on Tuesday 26 and Wednesday 27 March 2024. The primary focus of the discussion will be the Environmental Compensation Fund, EIA/EIS process, REMPs and Test Mining, led by the Facilitator, Dr. Raijeli Taga (Fiji). The [Facilitator's Briefing paper](#) has been published on the ISA website for the [29th session of the Council](#).

22. On Wednesday 27 March 2024, an *informal informals* meeting will be conducted on the Intangible Cultural Heritage definition. The rapporteur is the Federated States of Micronesia.

23. The seventh meeting of the Informal Working Group on Institutional Matters will be held on Monday 25 March 2024. The Co-Facilitators Gina Guillén-Grillo (Costa Rica) and Salvador Vega (Chile) will discuss the topic Effective Control.

24. The outcomes of the discussions conducted in the working groups and the work in the *informal informals* will be presented to the Council in briefing notes (authored by the respective Chair, facilitators, co-facilitators or rapporteurs), for consideration by the Council on Friday 29 March 2024. As indicated in the [President's Briefing note](#), at that point, the Council will be able to assess the status of the work, whether more work is needed, and whether other topics need to be discussed. Thereafter, the Council can decide the plan for intersessional work and further *informal informals* for the July 2024 meetings.

VII. Report of the Secretary-General on incidents in the NORI-D contract area in the Clarion-Clipperton Zone (item 20 of the provisional agenda, Friday 22 March 2024)

25. The Secretary-General will provide a report on incidents in the NORI-D contract area in the Clarion-Clipperton Zone from 23 November to 4 December 2023. The report is contained in the document [ISBA/29/C/4](#). The Council will be invited to provide its comments.

VIII. Report of the Secretary-General on the credentials of members of the Council (item 5 of the provisional agenda, Thursday 28 March 2024)

26. The Secretary-General will provide an oral report on the credentials of members of the Council.

IX. Cooperation with other relevant international organizations (item 18 of the provisional agenda, Thursday 28 March 2024)

27. The Secretary-General will provide a report on the Memorandum of Understanding between the International Seabed Authority and the Food and Agriculture Organization of the United Nations (FAO). The Council will be invited to approve the Memorandum of Understanding which is in the annex to the document [ISBA/29/C/2](#).

X. Report on cooperation with the OSPAR Commission (item 19 of the provisional agenda, Thursday 28 March 2024)

28. The Secretary-General will provide a report on the cooperation with the Commission for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Commission), requested by the Assembly at its twenty-eighth session, concerning the implications of a decision adopted by that Commission, resulting in the extension of the scope of the North Atlantic current and Evlanov Sea basin marine protected area ('NACES MPA'), on the exclusive mandate of the Authority over the Area. The report is contained in the document [ISBA/29/C/6](#).

XI. Status of contracts for exploration and related matters, including information on the periodic review of the implementation of approved plans of work for exploration (item 7 of the provisional agenda, Thursday 28 March 2024)

29. The Council will receive for its consideration a report on the status of the contracts for exploration and periodic reviews of the implementation of plans of work for exploration contained in document [ISBA/29/C/5](#).

30. The Council will receive for its consideration another report on the relinquishment of areas under the contract for the exploration for polymetallic sulphides between the Authority and the Institut Français de Recherche pour l'Exploitation de la Mer (IFREMER).

XII. Consideration, with a view to approval, of applications for a plan of work for exploration (item 9 of the provisional agenda, Thursday 28 March 2024)

31. The Council will be aware that the Government of India has submitted two plans of work for exploration for polymetallic sulphides and for exploration for cobalt-rich ferromanganese crusts. The applications are under consideration by the Legal and Technical Commission. The Council will receive the report and recommendation of the Commission in due course.

Kingston, Jamaica, 7 March 2024.