

**Decision of the Assembly of the International Seabed Authority on the ~~establishment~~  
~~development~~ of a general policy of the Authority for the protection and preservation of  
the marine environment**

*The Assembly of the International Seabed Authority,*

~~Recalling that pursuant to Article 192 of the United Nations Convention on the Law  
of the Sea of 10 December 1982 (Convention) States have the obligation to protect and  
preserve the marine environment, including from any form of degradation of the marine  
environment and under stringent due diligence standard,<sup>1</sup>~~

~~Recalling that Article 145 of Convention set the obligation to take necessary measures  
to ensure effective protection for the marine environment from harmful effects that may arise  
from activities in the Area,~~

~~Recalling further that pursuant to Article 160 of the Convention, the Assembly shall  
have the power to establish general policies in conformity with the relevant provisions of the  
Convention on any question or matter within the competence of the Authority,~~

~~Mindful that under paragraph 1 of Section 3 of the Annex to the 1994 Agreement of  
Part XI the general policies of the Authority shall be established by the Assembly in  
collaboration with the Council,~~

~~Recalling decisions of the Council of the Authority ISBA/28/C/24 and ISBA/28/C/25  
which expressed that the commercial exploitation of mineral resources in the Area should  
not be carried out in the absence of rules, regulations and procedures relating to exploitation~~

~~Bearing in mind the constructive discussions of the international workshop co-hosted  
by the Secretariat of the Authority in 2017 in Berlin on the development of a long-term  
Environmental Management Strategy for the Area, as captured in ISA Technical Study No.  
17,~~

~~Recognizing the need for a general policy for the protection and preservation of the  
marine environment to be developed, agreed and adopted before any plan of work for  
exploitation is approved,~~

~~Understanding the need for further discussion on the possible elements that could  
comprise such a general policy in order to hear the perspectives and proposals from members  
of the Authority and observers with a view to identifying areas of general agreement,~~

~~Desiring to continue the work on this matter intersessionally in a constructive manner,~~

<sup>1</sup> Request for an Advisory Opinion submitted by the Commission of Small Island States on climate change and international law, Advisory Opinion, 21 May 2024, at pp.128-129, para. 385.

~~1. Decides that the Assembly, in collaboration with the Council, shall advance the elaboration of a General Policy of the Authority related to the protection and preservation of the marine environment from harmful effects of activities in the Area;~~

~~21. Also~~ *Decides* to establish an informal intersessional dialogue to facilitate further discussion on the following topics:

~~the elements that need to be included in a general policy of the Authority for the protection and preservation of the marine environment from the harmful effects of activities in the Area;~~

~~a) Appropriate~~ The potential scope, process and application of any such policy general policy for the protection and preservation of the marine environment;

~~c) The elements that need to be included in the for the protection and preservation of the marine environment~~ any such policy.

*23. Additionally, decides* on the following modalities of the intersessional dialogue:

- a) The informal intersessional dialogue shall be open to all members of the Authority, including members of the Council, as well as members of the LTC Commission, the Interim Director-General of the Enterprise, and observers ~~observers and interested stakeholders;~~
- b) The informal intersessional dialogue shall be co-facilitated by [\_\_\_\_\_] from [\_\_\_\_\_] and [\_\_\_\_\_] from [\_\_\_\_]; and
- c) The informal intersessional dialogue shall be convened regularly between the date of adoption of the present decision and the next meeting of the Assembly, in July 2025, using virtual means, starting in [•];

*34. Further decides* that the Co-Facilitators of the above-mentioned dialogue shall:

- a) Prepare and present a briefing note to the Council at the first part of its 30th Session; and
- b) Prepare and present a report ~~of the discussions~~ to the Assembly at its next meeting, in July 2025, including a summary of the discussion and conclusions. a draft proposal of a possible General Policy to the Assembly, if any, for its consideration at its next meeting, in July 2025 with a view for adoption.

*5. Requests* the Secretariat to provide all necessary administrative and technical support as may be required by the Co-Facilitators.

*6. Also* ~~requests the LTC~~ encourages members of the Commission to participate in the dialogue,

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