

Briefing Paper/Scenario Note on the negotiations of the draft regulations on exploitation of minerals in the Area and associated modalities of work for the second part of the thirtieth session of the Council of the International Seabed Authority.

4 June 2025

Prepared by the President of the Council

I. Introduction

1. This Briefing Paper provides an update on the status of negotiations concerning the draft regulations on the exploitation of mineral resources in the Area (“the Exploitation Regulations”) and outlines the proposed modalities of work for the second part of the thirtieth session of the Council (7 to 18 July 2025).
2. The objective is to promote structured, targeted, and efficient discussions to advance the finalisation of the Exploitation Regulations in accordance with the roadmap endorsed by the Council in 2023. The successful conclusion of this process will align with the Authority’s internationally agreed legal role as the sole global regulator of activities in the Area.
3. In pursuit of this objective, it is essential that delegations continue to engage in good faith and intensify their efforts. To this end, this paper sets out a proposed work structure for the July 2025 meetings, well in advance, to ensure that all participants can prepare thoroughly and clearly understand the timing and focus of discussions.
4. Delegations are reminded that this is a legislative process derived from the mandate and functions given to the Authority by the United Nations Convention on the Law of The Sea (UNCLOS) and the 1994 Agreement, not a policy negotiation or the drafting of a new treaty. Legal certainty, clarity, enforceability, and consistency are paramount.

II. Background

5. In its decision dated 21 July 2023 ([ISBA/28/C/24](#)), the Council reaffirmed its commitment to its legal mandate and to continue the elaboration of rules, regulations, and procedures relating to exploitation, with a view to their adoption during the Authority’s thirtieth session in 2025.
6. On 26 July 2024, the President of the Council introduced a revised roadmap for the thirtieth session, endorsed by the Council ([ISBA/29/C/9/Add.1](#), Annex III). This roadmap provided a clear timeline with the shared determination to conclude negotiations on the Exploitation Regulations within this session.

7. The Revised Consolidated Text of the Draft Exploitation Regulations ([ISBA/30/C/CRP.1](#)) served as the primary basis for discussions during the first part of the thirtieth session (17 to 28 March 2025). The Council addressed the text from the Preamble through draft regulation 55, with the participation of Council members, other Members of the Authority, and observers.

III. Modalities of Work for July 2025

8. I encourage delegations to participate in the July meetings **with a clear mandate from your capitals to take decisions** towards the achievement of consensus on substantive issues addressed by the draft regulations.

9. It is critical to recall that the Exploitation Regulations will constitute a **binding legal instrument** governing a prospective commercial activity under UNCLOS and the 1994 Agreement.

10. The proposed modalities of work for July 2025 are intended to ensure a focused, effective, and time-efficient negotiation process. Delegations are encouraged to engage constructively, demonstrate flexibility and work collaboratively to resolve outstanding issues.

11. The Council will resume its consideration of the Revised Consolidated Text, focusing on **draft regulations 56 to 107** ([ISBA/30/C/CRP.1](#)). Discussions will follow a regulation-by-regulation approach, prioritising the resolution of key outstanding issues rather than engaging in line-by-line drafting. This approach is intended to support consensus-building on substantive matters.

12. To promote coherence and efficiency, the regulation-by-regulation discussions will be structured thematically or by section. This clustering will facilitate the consideration of cross-cutting issues, avoid duplication, and help streamline negotiations. To support this process, I will identify the principal outstanding issues prior to the start of the July Council meetings and encourage delegations to work towards consensus-based solutions.

13. This will serve as the basis for discussions in plenary and during informal informals. During the negotiations, I will invite delegations to indicate their preferred alternatives, agree on specific proposals, lift brackets where consensus emerges, and consider withdrawing proposals that may not appear to enjoy broad support.

14. An **Indicative Programme of Work** has been issued, outlining a structured schedule for section-based discussions and dedicated time slots for key conceptual issues in plenary or in informal informals.

15. I propose that on the first day we go directly into the negotiations. Delegations are informed that no time will be allocated for general or political statements and other matters that would distract delegations. Therefore, I invite delegations to submit those in writing.

16. Each topic is assigned a proposed time allocation to provide delegations with clarity on the specific days when draft regulations or conceptual issues will be addressed. Should additional time be necessary, I may propose the continuation of discussions during morning or lunch breaks on an informal basis, or to extend the negotiations in plenary or in informal informals during the evenings beyond 6:00 p.m.

17. I propose that from 7 to 16 July 2025, the Council conduct negotiations on draft regulations 56 to 107. On 14 July, the Council will address its standing agenda items. From 16 to 18 July, the Council will resume negotiations and convene informal informals discussions on conceptual issues pertaining to regulations 1 to 55, which remain under consideration by informal working groups.

18. In general, I invite all delegations to submit their **final proposals** for regulations 1 to 107, annexes and schedule by **11 July 2025**, and by Friday, 18 July, we expect to receive the final proposed texts on the draft Exploitation Regulations from all working groups and the Friends of the President.

19. I would like to reassure delegations that I will make every effort to ensure that no informal meetings or informal informals are scheduled concurrently when matters of broad interest are under discussion. Instead, such meetings will be held successively to enable all delegations, including those with smaller teams, to participate fully and meaningfully in the negotiations. Delegations should, however, be aware that avoiding parallel meetings will require extended negotiation hours during the day.

20. **Speaking time will be managed to ensure an efficient and focused discussion.** I propose that, during plenary meetings, Council members be allocated up to five minutes to take the floor; non-Council members, up to three minutes; and observers, up to one minute. I encourage delegations to avoid lengthy interventions and to focus their remarks on the substantive matters under discussion. As indicated, time will not be allocated for political or general statements. Delegations are therefore invited to submit such statements in writing for publication on the Authority's website.

21. I suggest, and have requested the Secretariat to facilitate screenwriters to be available during plenary meetings to reflect the progress of negotiations on the text, including corresponding attributions, in order to maintain a record of the proponents.

22. Where appropriate, particularly for complex matters or issues nearing consensus, I will convene *informal informals* in a smaller conference room in lieu of plenary discussions. These meetings will be chaired by the President, a facilitator, or a Friend of the President accordingly, and will provide a more flexible setting for advancing negotiations. The objective is that the informal informals produce a final proposed text of the regulation or regulations that are addressed by that group.

23. During *informal informals*, speaking priority will be given to Council members. Non-members of the Council are encouraged to keep their interventions brief, focused, and solution oriented. In line with United Nations practice, only ISA member States will participate in *informal informals*. Observers will be invited to submit written statements or proposals regarding those issues discussed by member States in *informal informals*. Those submissions will be made publicly available on the Authority's website. I wish to assure delegations that transparency will be maintained throughout the process. Any outcomes from *informal informals* will be reported back to the plenary for consideration.

IV. Informal Working Groups and Friends of the President

24. I wish to remind delegations that during the March 2025 meetings, four informal working groups operated on the margins of the Council meetings: Inspection, Compliance and Enforcement, facilitated by Norway; Equalization Mechanism, facilitated by Australia; Rights and Interests of Coastal States, facilitated by Portugal, and Test and Pilot Mining, facilitated by Belgium, China, and Germany.

25. In light of their effectiveness, I encourage member States to intensify that practice in all working groups and Friends of the President during this intersessional period and during the Council meetings in July 2025.

26. During the intersessional period, I encourage all groups (informal working groups and Friends of the President) to hold at least **two targeted virtual meetings** before July 2025, with clear objectives designed to facilitate consensus on a final proposed text for the draft regulations.

27. Delegations are also invited to volunteer as **Friends of the President**, that I proposed in March 2025 as an additional modality of work to advance discussions efficiently. As noted during the first part of the thirtieth session ([ISBA/30/C/5](#), Annex II), this voluntary initiative would allow delegations interested in a specific topic or draft regulation to facilitate focused and flexible discussions to refine the text and build consensus. A list of Friends of the President has been published, distinct from the list of the current informal working groups, and it will be updated accordingly.

28. I recommend that morning and lunch breaks be reserved for meetings of existing informal working groups or for Friends of the President discussions. As earlier noted, the general practice will be that no meetings are to be scheduled concurrently, ensuring all delegations have the opportunity to participate actively. Parallel meetings could take place, if deemed appropriate and advisable.

29. To maintain focus on the Council's negotiations, it is recommended that **side events** be scheduled at the Jamaica Conference Centre during the period of the Assembly meetings. During the Council meetings, stakeholders are encouraged to organise side events outside the Conference Centre to avoid disruption of the Council's work.

V. Revised Compilation of Draft Regulations 1–55

30. As the Council completed its review of the Preamble through draft regulation 55 in March 2025, the compilation version will be revised, updated and distributed before the July meetings, reflecting written submissions and oral interventions made during the March meetings.

31. During the July meetings, once the Council has completed its review of draft regulations 56 to 107, I will invite the informal working groups and Friends of the President to convene *informal informals* to finalise the negotiation of the corresponding conceptual issues contained in draft regulations 1 to 55 that are being undertaken by those groups. The objective will be to produce a finalised text proposal for inclusion in the draft Exploitation Regulations.

VI. Annexes and Schedule

32. The annexes and the schedule of the Revised Consolidated Text have yet to be discussed in detail. To facilitate this process, I will introduce the general aspects of those parts and main matters. I invite *Friends of the President* to assist in streamlining and refining the annexes and the schedule during the intersessional period and in the sidelines of the July meetings. Their task will be to prepare an initial version of the annexes that highlight key issues and options for consensus.

33. The goal is to finalise a consolidated version of the annexes and the schedule for discussion in July 2025 and agreed on a final proposed text to be included in the draft Exploitation Regulations.

VII. Standards and Guidelines

34. On 27 March 2025, the Council held a high-level exchange on the development of standards and guidelines, using a list prepared by the Secretariat to support the discussion.

35. As requested by delegations in March 2025, the list of standards and guidelines will remain a living document, updated based on progress in the negotiations. Therefore, delegations requested a new list that reflects the feedback received, including regrouping and harmonisation of items to minimise administrative complexity. Accordingly, I will issue an updated list of standards and guidelines and a proposed timeline outlining next steps.

VIII. The Work Ahead

36. Our shared objective remains the completion of the negotiations by the end of the 30th session as committed in the 2023 Council decision, and I believe this is both achievable and essential, if we want to remain truthful to our commitment. I therefore encourage all delegations to engage constructively and in good faith, and support negotiations through flexible and targeted participation in all working modalities.

37. By the end of the July meetings, I expect that we will have finished negotiations on regulations 56 to 107, as well as advanced discussions on the main conceptual issues covered in regulations 1 to 55, including a common approach and advancement on the annexes and the schedule.

38. This progress will reflect the intensive intersessional work, the informal meetings on the sidelines of the July meetings, extended negotiations beyond 6 pm, and dynamic discussions under the informal informals modality.

39. However, it is important to have a clear understanding that the outcome of the negotiations in July may require a third part of the thirtieth session (29 October to 7 November 2025) for the adoption of the regulations.

40. That third part will need a clear mandate for a procedure to issue a final draft, have intensive intersessional work to get the final consensus on the few remaining contentious issues, in case there are any, and to have a clear programme of work for the final adoption of the regulations in November.

41. I believe this approach will ensure that the regulations are robust, comprehensive, and balanced, reflecting the full commitment of all delegations. With your continued support and commitment, I am confident that we can achieve this important milestone together.

42. All this is subject to the principle that “*nothing is agreed until everything is agreed*”.

Amb. Duncan Laki, New York, 4 June 2025.