



Assembly

Distr.: Limited
7 July 2025

Original: English

Thirtieth session

Kingston, 21–25 July 2025

Item 9 of the provisional agenda**

**Periodic review of the international regime of the Area
pursuant to article 154 of the Convention**

Draft decision of the Assembly of the International Seabed Authority on the second periodic review of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea

The Assembly of the International Seabed Authority,

Recalling that article 154, part XI, of the United Nations Convention on the Law of the Sea¹ provides that:

Every five years from the entry into force of this Convention, the Assembly shall undertake a general and systematic review of the manner in which the international regime of the Area established in this Convention has operated in practice. In the light of this review the Assembly may take, or recommend that other organs take, measures in accordance with the provisions and procedures of this Part and the Annexes relating thereto which will lead to the improvement of the operation of the regime,

1. *Decides* to undertake, pursuant to article 154 of the Convention, a general and systematic review of the manner in which the international regime of the Area has operated in practice;

2. *Also decides* that such a review shall be carried out under the oversight of a review committee comprising the President and the Bureau of the Assembly, and the President of the Council, with the current President of the Assembly remaining a member of the committee until the completion of the review, and that the Chairs of the regional groups may also participate as observers in the review committee;

3. *Further decides* that the review shall be conducted by consultants appointed by the review committee, based on a short list of qualified consultants prepared by the Secretary-General according to the established procurement procedures of the Authority;

* Reissued for technical reasons on 18 July 2025.

** [ISBA/30/A/L.1/Rev.1](#).

¹ United Nations, *Treaty Series*, vol. 1833, No. 31363.



4. *Decides* that the review committee shall meet with the consultants and decide on the scope of the report prior to its drafting; the committee shall thereafter monitor the progress of work and submit an interim report, including comments by the secretariat, the Legal and Technical Commission and the Finance Committee of the International Seabed Authority, for consideration by the Assembly at its thirty-first session, in 2026;

5. *Also decides* that the final report, including any draft recommendations designed to improve the operation of the regime, shall be presented by the review committee to the Assembly at its thirty-second session;

6. *Further decides* that the terms of reference for the review shall be those contained in the annex to the present decision;

7. *Requests* the Secretary-General to provide the necessary and appropriate administrative and logistical support to the review committee and to circulate copies of the final report to all member States of the Authority at least three months in advance of the thirty-second session.

Annex

Terms of reference for the second periodic review of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea

1. The International Seabed Authority is an autonomous international organization established under the United Nations Convention on the Law of the Sea² and the 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982.³ The Authority is the organization through which States Parties to the Convention are required, in accordance with the Convention, to organize and control activities in the Area, particularly with a view to administering the resources of the Area.
2. Under article 154 of the Convention, the Assembly of the Authority is required, every five years from the date of entry into force of the Convention, to undertake a general and systematic review of the manner in which the international regime of the Area established in the Convention has operated in practice. Under article 154, the Assembly has the opportunity to take, or recommend that other organs take, measures, in the light of experience and the changing circumstances of the Authority's existence, which will lead to the improvement of the operation of the regime.
3. For the second time since its establishment, the Assembly intends to conduct a periodic review under article 154 of the Convention. In order to provide a basis for such a review, a comprehensive report is to be prepared in accordance with the following terms of reference.
4. The report shall include a review of the overall implementation of the regime of the Area and the challenges and opportunities faced by the Authority, including its relations with non-member States in terms of the universal application of the regime, and whether the Authority and its organs have effectively performed the functions as stipulated in the Convention and in the annex to the 1994 Agreement.
5. In particular, in relation to the principal organs of the Authority and its subsidiary bodies (the Assembly, the Council, the secretariat, the Legal and Technical Commission and the Finance Committee) and the Enterprise, the report shall include:
 - (a) A review of the level of representation and attendance of members of the Authority at its regular annual sessions;
 - (b) An analysis of the interactions of the Authority, in the exercise of its mandate, with relevant legal instruments and frameworks and relevant multilateral bodies in the implementation of the regime of the Area;
 - (c) An analysis of the performance of the Assembly as the supreme organ of the Authority in establishing general policies and in the exercise of its additional powers and functions pursuant to article 160, paragraph 2, of the Convention, in collaboration with the Council;
 - (d) An analysis of the performance of the Council as the executive organ of the Authority in establishing specific policies to be pursued by the Authority on any question or matter within the competence of the Authority and in the exercise of its additional powers and functions pursuant to article 162, paragraph 2, of the Convention;

² United Nations, *Treaty Series*, vol. 1833, No. 31363.

³ *Ibid.*, vol. 1836, No. 31364.

(e) A review of the structure of the secretariat and of the performance of its functions as referred to in subsection D of section 4 of part XI of the Convention and paragraph 5 of section 1 of the annex to the 1994 Agreement;

(f) A review of the existing financial and administrative arrangements pertaining to the Enterprise with a view to assessing its preparedness to fulfil its mandate once it becomes independent of the secretariat;

(g) A review of the current staffing needs and resources of the secretariat based on new developments and demands, with particular reference to the distribution of technical and Professional staff to determine whether the current balance allows for maximum efficiency and is capable of delivering the administrative and technical support necessary for a regulatory system for exploration and, eventually, exploitation;

(h) A review of the current and projected workload of the Legal and Technical Commission and identification of measures that will lead to the improvement of its future operations in the implementation of the regime of the Area, including in the perspective of discharging its responsibilities relating to exploitation;

(i) A review of the current and projected workload of the Finance Committee and identification of measures that will lead to the improvement of its future operations in the implementation of the regime of the Area;

(j) A review of the setting up and functioning of the Economic Planning Commission and the other implications of the commencement of exploitation following the evolutionary approach of the Authority.

6. The report and any recommendations arising therefrom are to be prepared under the supervision of a review committee consisting of the Secretary-General or her designate or designates, the President of the Assembly, the President of the Council and one representative from each of the other regional groups.
