

Submission by Chile, Costa Rica and France,co-sponsored by Panamá, in relation to the briefing paper issued by the President of the Council dated 4 June 2025.

1. Chile, Costa Rica, France and Panamá respectfully present their compliments to the Members of the Council of the International Seabed Authority, and have the honor to convey this statement in response to the briefing paper issued by the President of the Council dated 4 June 2025.
2. We reiterate our full support to the President of the Council, H.E. Mr. Duncan Laki of Uganda and express our confidence and trust in his leadership over the 30th session of the Council of the International Seabed Authority. Likewise, we express our appreciation for the President's briefing paper dated 4 June 2025 that proposes the President's suggested modalities of work for Part II of the 30th session of the Council.
3. While we welcome the briefing paper and found it useful in helping delegates prepare for the upcoming meeting of the Council this July, and in particular, the resumption of negotiations of the exploitation regulations, we wish to express our following concerns regarding some of the proposals made therein:
 - A) In relation to paragraphs 5, 6 and 36 of the briefing paper, we wish to emphasize that the language used in ISBA/28/C/24 and ISBA/29/C/9/Add.1, Annex III was carefully crafted as part of a package and should in no way be interpreted as a commitment by Member States to adopt the exploitation regulations by this session but rather as an indicative or aspirational timeline. As noted in paragraph 42 of the briefing paper, 'nothing is agreed until everything is agreed'. Indeed, it is our considered view that the current state of the draft regulations, alongside the status of other essential elements (such as necessary standards and guidelines as well as an equitable mechanism for the sharing of benefits, the financial mechanism and other crucial elements) make it clear that they are not ready for adoption yet.
 - B) In relation to paragraphs 10-12 of the briefing paper, while we support the prioritization of resolving key outstanding issues, it remains unclear how this can be effectively achieved through a regulation-by-regulation approach, given that many of these issues are cross-cutting across the consolidated draft. We look forward to the list of the key outstanding issues in advance of the meeting, as referred in paragraph 12, so that this can be discussed and eventually agreed among Member States. We believe this would allow negotiations to

proceed – regulation-by-regulation – with a shared understanding and agreement on priorities.

- C) We are concerned with the proposal to conduct informals during Part II of the 30th session. In our view, it is neither advisable nor useful to change the method of negotiations partway through the process, and depart from the approach we have taken in Part I of the meeting, when discussing the Preamble and regulation 1-55. Shifting to a different modality for regulation 56 and onwards does not seem warranted and would undermine consistency of the process. Furthermore, we are of the view that observer contribution has so far been very constructive to the process, and excluding observers for the sake of expediency does not seem like a prudent approach, especially if our ultimate aim at the Council is to achieve a robust set of regulations. We therefore do not support the proposal for the Council to convene in informals in Part II of the meeting.

We remain open to considering alternative modalities for future meetings, once a more consolidated state of the text is achieved and the basic conceptual/principal issues are resolved, also bearing in mind the need to ensure they meet the necessary requirements in terms of inclusiveness and effectiveness.

In this sense, we know that similar practices exist within the framework of the United Nations, but this happens at more advanced stages of the negotiating process, and we also understand that this negotiation process is unique, and the practices that have been worked on in recent years must be respected. From our point of view, the negotiation of regulations is very different to negotiate an agreement or treaty, where there are variables that can be addressed in a more general way; in this case, we must be careful so that the result of this process has a robust, applicable and clear regulatory framework.

- D) In relation to paragraphs 16 and 19 of the briefing paper, we query as to whether translation services will be provided if meetings were conducted outside the normal hours. We remain flexible to negotiations outside normal hours, but we do care about the costs of translation services.
- E) While we are flexible to the proposal to discuss matters pertaining to regulations 1-55, as suggested under paragraph 17 of the briefing paper, we believe that such discussions should only take place once the reading and discussion of all remaining draft provisions from

regulations 56 onwards, including Annexes and the Schedule, have been completed. We also do not support convening in the format of informals for this purpose.

- F) We do not agree with the proposal under paragraph 18 of the briefing paper for written textual proposals to be submitted by 11 July 2025. We also cannot support the use of the term 'final proposals' here. We consider it to be more efficient and effective if a revised consolidated text is issued after this round of reading is completed, and delegates are then given the opportunity to submit written proposals ahead of the next round of negotiations in the 31st session
- G) We are concerned with the proposed allocation of time for interventions in paragraph 20 of the briefing paper and do not see the need for such rigid restrictions. We are of the view that delegates have been respectful and constructive in taking the floor with their interventions and share the view that such time restrictions are not useful, particularly given the technical nature of the negotiations. We do, however, share the view that delegates should be mindful of the time they take up and focus on the matters being discussed.
- H) We welcome the use of screenwriters, which many Member States have lamented over, and we hope that this will be implemented.
- I) With respect to paragraphs 22-23 of the briefing paper, we reiterate once again our concerns about convening informals at this stage. We share the view that our discussions so far have benefited from open and inclusive methods.
- J) In relation to paragraphs 24-28 of the briefing paper, we trust that all such meetings of the informal working groups and of the Friends of the President will be open to all delegates.
- K) Pertaining to paragraphs 30-31 of the briefing paper, we do not support the proposal therein given that delegations will have little to no time to discuss any revised text. Similarly, with respect to paragraphs 32-33 of the briefing paper, we believe that the Annexes and Schedule should be discussed in turn and not on a general level, as proposed therein.
- L) We look forward to an updated list of standards and guidelines and a proposed timeline and modalities for the next steps on their negotiation.
- M) With respect to paragraph 37 of the briefing paper, we read that sentence to mean that the Council would have completed the current round of reading of those provisions, and not of the negotiations.

N) Concerning paragraphs 38-40, while we acknowledge the proposal for a third meeting this year, we share the view that this suggestion would warrant a discussion on its merits and require prior agreement from Member States. In any case, we categorically disassociate ourselves from any suggestion or interpretation that the Council is bound, legally or politically, to adopt the regulations by the end of the year. Meanwhile, if needed, we propose the discussion of a new roadmap with clear objectives and target milestones for the Authority in fulfilment of its mandate.

4. The proposed modalities of work outlined in the briefing paper require further discussions and agreement among the members of the Council. Consequently, we request that the proposed modalities of work for Part II of the 30th session of the Council be discussed and agreed upon before the Council resumes negotiations on the draft exploitation regulations. We propose that such discussion takes place under item 1 of the council's indicative programme of work (IPW) under 'resumption of the session', on 7 July 2025 at 10 am.
5. We conclude by reaffirming our commitment to the full implementation of the Convention and the work of the Authority, as well as to continue working constructively towards the development, agreement and adoption of a robust legal framework. We are open to the discussion of ways to improve the working methods in order to achieve a more efficient distribution of the time, including through a decision of the Council.
6. We kindly request that the present letter be issued as a document of the 30th session of the Council and made available in all official languages of the Authority.