



Council

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Draft decision of the Council of the International Seabed Authority relating to the summary report of the Chair of the Legal and Technical Commission

Submitted by Brazil on the basis of comments and contributions by Members of the Council

The Council of the International Seabed Authority,

1. *Takes note, with appreciation,* of the summary report of the Chair of the Legal and Technical Commission on the work of the Commission during the twentieth session;¹

2. *Requests* the Commission, as a matter of urgency and as its first priority, to formulate draft procedures and criteria for applications for extensions of contracts for exploration, to be submitted to the Council at its 2015 session, in accordance with section 3.2 of the standard clauses contained in annex 4 to the Regulations, which are to be applied in a uniform and non-discriminatory manner to all requests for extension of contracts of exploration; such procedures and criteria should be made available in advance of the 2015 session;

3. *Requests* the Commission to continue its work on the regulations of exploitation as a matter of priority and to make available to all members of the Authority and all stakeholders a draft framework for the regulation of exploitation as soon as possible after its February 2015 meeting;

4. *Requests* the Commission to consider, as appropriate, the submission by the Netherlands on environmental management plans and environmental impact assessments in the regulatory framework for mineral exploitation in the Area² in the context of its work on the preparation of draft regulations for exploitation in the Area;

¹ ISBA/20/C/20.

² ISBA/20/C/13.



5. *Calls the attention* of contractors to the issues raised and recommendations made by the Commission on the annual reports of the contractors;³

6. *Requests* the Commission to examine ways to ensure that training opportunities will effectively take into consideration the interests and needs of developing States, in particular those of the landlocked and geographically disadvantaged among them, in accordance with article 148 of the United Nations Convention on the Law of the Sea, taking into consideration the recommendations for the guidance of contractors and sponsoring States relating to training programmes under plans of work for exploration;⁴

7. *Also requests* the Commission to continue to work on issues related to the sponsorship by States of contracts of exploration in the area, with particular attention to a test of effective control, as well as with issues related to monopolization of activities in the Area, taking into consideration, in particular, the concept of abuse of a dominant position;

8. *Further requests* the Commission to prepare draft procedures on the handling of confidential data and information, as provided for in rule 12 of the rules of procedure of the Commission,⁵ to be submitted to the Council for consideration and approval not later than at its 2016 session;

9. *Encourages* the secretariat and the Commission to continue their work, up to and beyond 2015, on the implementation of the environmental management plan for the Clarion-Clipperton Zone and encourages the Commission to consider developing environmental management plans in other international seabed area zones, in particular where there are currently exploration contracts, in line with the suggestion by the United Nations General Assembly in paragraph 51 of its resolution 68/70;

10. *Encourages* all contractors to make their environmental data readily and publicly available;

11. *Requests* that the Commission continue to explore initiatives to increase transparency and dialogue on the development of its work, in particular on issues of general interest to member States and other stakeholders of the Authority;

12. *Also requests* the Secretary-General to ensure that adequate time and resources continue to be made available to support the work of the Commission, especially on priority issues.

³ Ibid., annex.

⁴ ISBA/19/LTC/14.

⁵ ISBA/6/C/9.