



## Council

Distr.: Limited  
30 September 2022

Original: English

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### Twenty-seventh session

Council session, part III

Kingston, 31 October–11 November 2022

Agenda item 14

### Report of the Chair of the Legal and Technical Commission on the work of the Commission at its twenty-seventh session

## **Draft decision of the Council of the International Seabed Authority relating to the approval of the regional environmental management plan for the Area of the northern Mid-Atlantic Ridge with a focus on polymetallic sulphide deposits**

*The Council of the International Seabed Authority,*

*Taking into account* the recommendations of the Legal and Technical Commission pursuant to article 165, paragraph 2 (e), of the United Nations Convention on the Law of the Sea of 10 December 1982,<sup>1</sup>

*Recalling* article 145 of the Convention, which requires that necessary measures shall be taken in accordance with the Convention with respect to activities in the Area to ensure effective protection for the marine environment from harmful effects which may arise from such activities,

*Recalling also* that, pursuant to article 162 of the Convention, the Council has the power to establish the specific policies to be pursued by the Authority on any question or matter within the competence of the Authority,

*Reaffirming* that the implementation of a regional environmental management plan is one of the measures appropriate and necessary to ensure effective protection of the marine environment from harmful effects that may arise from activities in the Area,

*Recalling* that the priority areas for the establishment of regional environmental management plans where exploration contracts are issued include the northern Mid-Atlantic Ridge,

*Recognizing* the rights under the Convention and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982<sup>2</sup> and that a range of human activities occurring, or potentially

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<sup>1</sup> United Nations, *Treaty Series*, vol. 1833, No. 31363.

<sup>2</sup> *Ibid.*, vol. 1836, No. 31364.



occurring in the area under the scope of the plan should be managed according to international law,

*Recognizing also* the rights of those entities that presently hold contracts with the International Seabed Authority for exploration for polymetallic sulphides in the northern Mid-Atlantic Ridge pursuant to the Convention, the Agreement and the regulations on prospecting and exploration for polymetallic sulphides in the Area,<sup>3</sup>

*Recognizing further* that the development of the regional environmental management plan for the Area of the northern Mid-Atlantic Ridge with a focus on polymetallic sulphides is the result of transparent,<sup>4</sup> comprehensive and robust science-based processes,

*Taking into account* the recommendations of the Legal and Technical Commission on the regional environmental management plan for the Area of the northern Mid-Atlantic Ridge with a focus on polymetallic sulphide deposits,<sup>5</sup>

1. *Approves* the regional environmental management plan for the Area of the northern Mid-Atlantic Ridge with a focus on polymetallic sulphide deposits as recommended by the Legal and Technical Commission;

2. *Notes* the identification in the plan of areas in need of protection, sites in need of protection and sites and areas in need of precaution, as well as non-spatial management actions, and that this gives effect to the precautionary approach as called for in the regulations on prospecting and exploration for polymetallic sulphides in the Area;

3. *Recognizes* that the plan may be improved as more scientific, technical, environmental and resource assessment data are supplied by contractors and other interested bodies;

4. *Requests* the Legal and Technical Commission to report to the Council on the implementation of the plan every five years;

5. *Encourages* further dialogue with all stakeholders for purposes of implementing the plan and ensuring complementarity with regard to the proposed spatial management measures and non-spatial management actions;

6. *Decides* to apply the present decision in accordance with the Convention, the Agreement, the regulations of the Authority and the terms of the contracts on exploration for polymetallic sulphides in respect of the northern Mid-Atlantic Ridge, and to evaluate and review, where appropriate, the regional environmental management plan in the light of future changes to the regulatory framework determining the plan;

7. *Encourages* the conduct of marine scientific research in the geographical scope of the plan, in accordance with article 143 of the Convention, and the full and effective dissemination of the results of such research through the Authority;

8. *Requests* the Secretary-General of the International Seabed Authority to take steps to encourage the development of programmes in the geographical scope of the plan for the benefit of developing States and technologically less developed States, including through the International Seabed Authority Partnership Fund, in implementing the Authority's capacity development strategy<sup>6</sup> and within the

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<sup>3</sup> ISBA/16/A/12/Rev.1, annex, and ISBA/20/A/10, annex.

<sup>4</sup> See <https://isa.org.jm/submissions-received-respect-stakeholder-comments-draft-remp>.

<sup>5</sup> ISBA/27/C/38.

<sup>6</sup> See ISBA/27/A/11.

framework of the action plan in support of the United Nations Decade of Ocean Science for Sustainable Development;<sup>7</sup>

9. *Also requests* the Secretary-General to communicate the present decision widely, including to the members of the Authority, observers to the Authority, contractors and international and regional organizations.

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<sup>7</sup> [ISBA/26/A/17](#), annex.