



## Council

Distr.: General  
28 January 2019

Original: English

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### Twenty-fifth session

Council session, part I

Kingston, 25 February–1 March 2019

Item 10 of the provisional agenda\*

**Report of the Secretary-General on the implementation of the decision of the Council in 2018 relating to the reports of the Chair of the Legal and Technical Commission**

## **Implementation of the Authority's strategy for the development of regional environmental management plans for the Area**

### **Report of the Secretary-General**

#### **I. Introduction and background**

1. The International Seabed Authority's mandate, on behalf of the States parties to the United Nations Convention on the Law of the Sea, is to administer the mineral resources and control and organize current exploration activities, as well as future mining activities, in the Area for the benefit of mankind as a whole. In accordance with article 145 the Convention, and with respect to activities in the Area, the Authority is mandated to take the measures necessary to ensure effective protection for the marine environment from harmful effects and to adopt appropriate rules, regulations and procedures for, inter alia, the prevention, reduction and control of pollution and other hazards to the marine environment, the protection and conservation of the natural resources of the Area and the prevention of damage to the flora and fauna of the marine environment.

2. In pursuance of this mandate, the Council approved an environmental management plan for the Clarion-Clipperton Zone at its eighteenth session, in 2012, on the basis of a recommendation of the Legal and Technical Commission (see [ISBA/17/LTC/7](#), [ISBA/17/C/19](#) and [ISBA/18/C/22](#)). The plan included the designation of a network of nine areas of particular environmental interest.

3. During the first part of its twenty-fourth session, in March 2018, the Council took note of a preliminary strategy proposed by the Secretary-General for the development of regional environmental management plans for the Area ([ISBA/24/C/3](#)) for key provinces where exploration activities under contracts were being carried out. The Council agreed with the priority areas that had been identified on a preliminary basis as the Mid-Atlantic Ridge, the Indian Ocean triple

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\* [ISBA/25/C/L.1](#).



junction ridge and nodule-bearing province, as well as the north-west Pacific and South Atlantic for seamounts. The Council also noted that the preliminary strategy laid out a coherent and coordinated approach to the process and considered it essential that regional environmental management plans be developed in a transparent manner under the auspices of the Authority, in the light of its jurisdiction 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 ([ISBA/24/C/8](#), para. 10).

4. The implementation of the preliminary strategy started with the holding of two workshops. The first workshop, convened in collaboration with the China Ocean Mineral Resources Research and Development Association, took place in Qingdao, China, in May 2018, and focused on the elaboration of a road map for a regional environmental management plan in the cobalt-rich ferromanganese crust area of the north-west Pacific. The second workshop, organised in Szczecin, Poland, in June 2018, addressed the design of regional environmental management plans for polymetallic sulphides in mid-ocean ridges.

5. With a view to contributing to the fulfilment of the mandate and responsibilities of the Authority in this respect, as well as achieving the strategic direction 3.2 as defined in its strategic plan for the period 2019–2023 ([ISBA/24/A/10](#), annex), a specific allocation was made in the budget of the Authority for the financial period 2019–2020 to support the development of regional environmental management plans (see programme 2.7 in annex I to [ISBA/24/A/5/Corr.1–ISBA/24/C/11/Corr.1](#) and [ISBA/24/C/21](#)). The purpose of the present report is to provide the Council with the outline of the programme of work of the secretariat for implementing the strategy for the development of such plans for 2019–2020.

## **II. Programme of work for the implementation of the strategy of the Authority for the development of regional environmental management plans for the Area**

6. The draft programme of work contained in the annex to the present document includes a road map based on the budget approved by the Assembly at its twenty-fourth session (*ibid.*), a description of the scientific work needed to inform each regional environmental management plan and a description of research gaps, available resources and potential collaborations. To assist in preparing the programme of work, and to promote a collaborative and transparent approach, the Secretary-General consulted an ad hoc advisory committee consisting of internationally recognized experts, which held a number of virtual meetings between October and December 2017. The main function of the committee was to provide expert advice to the Secretary-General for the development of a road map that would include the time frame for holding the various workshops, the background science needed to inform them, their main expected outcomes and the resources allocated to them.

7. The execution of the programme of work will be undertaken and monitored by the secretariat in line with the relevant budgetary programme (2.7) adopted by the Assembly.

8. As requested by the Council (see [ISBA/24/C/18](#), para. 14, and [ISBA/24/C/8/Add.1](#), para. 12), the specific dates of workshops are to be made publicly available in advance of the workshops, and the outcomes of the workshops, including interim reports, are to be made publicly available as soon as possible

following the events. The Secretary-General will regularly report to the Council on progress made in the implementation of the programme of work. The outcomes of the workshops and the final recommendations on the development of regional environmental management plans will be submitted to the Commission for its consideration.

### **III. Recommendations**

9. The Council is invited to take note of the present report.

## Annex

### **Draft programme of work of the secretariat to implement the preliminary strategy for the development of regional environmental management plans for the period 2019–2020**

#### **I. Introduction**

1. Article 145 of the United Nations Convention on the Law of the Sea provides that necessary measures are to be taken with respect to activities in the Area to ensure effective protection for the marine environment from harmful effects that may arise from activities associated with deep-sea mining, including the exploration phase. This responsibility includes the adoption by the International Seabed Authority of appropriate rules, regulations and procedures for the protection and conservation of the natural resources of the Area and the prevention of damage to the flora and fauna of the marine environment.

2. To implement this mandate, in 2012, the Council of the Authority approved an environmental management plan for the Clarion-Clipperton Zone on the basis of a recommendation of the Legal and Technical Commission. The keystone of the plan was the designation of nine areas of particular environmental interest in which no mining should occur.

3. The drafting of draft exploitation regulations, currently ongoing, and the development of the strategic plan of the Authority have prompted both a review of the Clarion-Clipperton Zone regional environmental management plan and, as a matter of priority, the creation of regional environmental management plans in other areas.

4. During the twenty-fourth session, the Council took note of a preliminary strategy for the development of regional environmental management plans for the Area for key provinces where exploration activities were already under way (see [ISBA/24/C/3](#) and [ISBA/24/C/8](#), para. 9). The Council agreed that the priority areas were the Mid-Atlantic Ridge, the Indian Ocean triple junction ridge and nodule-bearing province, as well as the north-west Pacific and South Atlantic for seamounts. The Council also noted that the preliminary strategy laid out a coherent and coordinated approach to the process and considered it essential that, inter alia, plans be developed in a transparent manner under the auspices of the Authority, in the light of its jurisdiction 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 (*ibid.*, para. 10).

5. In this context, the secretariat proceeded in 2018 with preparing new regional environmental management plans in the Area through two stakeholder workshops, one for cobalt-rich ferromanganese crusts, held in Qingdao, China, in May 2018, and the other for polymetallic sulphides, held in Szczecin, Poland, in June 2018.

6. The Secretary-General has prepared the present programme of work to facilitate the implementation of the preliminary strategy taken note of the Council in 2018. The programme of work builds on experience gained from the development of the Clarion-Clipperton Zone regional environmental management plan (see [ISBA/18/C/22](#)) as well as the results of the workshops held in China and Poland in 2018. The programme of work also takes account of the advice provided by the ad hoc advisory committee set up by the Secretary General to support the secretariat in its preparation of a programme of work for the development of regional environmental management plans for the period 2019–2020. The programme of work is to be implemented by the secretariat in a transparent and inclusive manner,

including by engaging members of the Commission with relevant expertise, the scientific community and other relevant stakeholders and experts.

## **II. Key approaches to be applied by the secretariat to facilitate the development of regional environmental management plans**

7. The following approaches are proposed to facilitate the development of regional environmental management plans:

(a) Articulating modalities to implement effectively goals, objectives, principles and strategies for the development of regional environmental management plans, as identified in the preliminary strategy, taking into account different regional contexts as well as types of mineral resources. This work would include in particular:

(i) Further refining goals, objectives, principles and strategies for the development of regional environmental management plans;

(ii) Defining the geographic scope of regional management planning areas, using the best available scientific information relating to biogeography, ecological connectivity and representativity, as well as other relevant information;

(iii) Further elaborating a design concept or scenario for a regional network of areas of particular environmental interest, building on the experience gained with those areas in the Clarion-Clipperton Zone;

(iv) Assessing the feasibility of a rules-based approach, to complement the area-based management measures for regional environmental management plans;

(v) Developing operational criteria for areas of particular environmental interest, including vulnerable marine ecosystems, in relation to activities in the Area, drawing on, where appropriate, relevant scientific criteria developed by other global instruments, such as the Convention on Biological Diversity, the Food and Agriculture Organization of the United Nations and the International Maritime Organization;

(b) Applying a standardized approach and standardized methodologies for the development of regional environmental management plans, including with regard to preparatory scientific and technical work in advance of workshops on regional environmental management plans; the nomination, selection and invitation of participants in those workshops; the preparation of the workshop reports; and the peer review and finalization of draft regional environmental management plans, ensuring transparency and institutional efficiency and effectiveness. This work would include in particular:

(i) Establishing a standardized process for the nomination, selection and invitation of experts to participate in the workshops on regional environmental management plans (including the selection criteria, the terms of reference of the workshops and funding for participation, among other things); considering geographic factors and gender balance and ensuring the effective participation of relevant stakeholders (such as member States, in particular developing countries, contractors, sponsoring States, representatives of industry sectors and non-governmental organization) and experts in relevant fields;

(ii) Preparing a data report to inform the creation of regional environmental management plans, using global data sets and region-specific scientific data and information, where available;

(iii) Inviting relevant stakeholders, experts, initiatives, projects and programmes to contribute data, information and knowledge to the preparation of the aforementioned data report and the development of regional environmental management plans, including by creating, subject to the availability of financial resources, regional scientific collaborative platforms in support of such plans, and ensuring the effective participation of, inter alia, member States, sponsoring States, contractors, relevant United Nations entities, international and regional organizations, scientific organizations and networks, industries, non-governmental organizations and individual experts with relevant expertise;

(c) Establishing, subject to the availability of financial resources, regional environmental management plan technical support teams that can provide necessary scientific and technical support to the secretariat in preparing for and holding the workshops on those plans. The composition of those teams should reflect the necessary scientific and technical expertise, including in terms of data analysis, synthesis and mapping, in line with the goals, objectives, principles and strategies for the development of such plans that are to be further refined, as noted above in paragraph 7 (a). The key support functions of the technical support teams would include:

(i) Supporting the preparation of regional environmental management plans with the best available scientific data and analytic tools for environmental and spatial planning;

(ii) Addressing knowledge gaps through the aggregation and synthesis of existing information relating to, inter alia, geomorphology, physical characteristics, biodiversity (megafauna, macrofauna, meiofauna and microfauna), community structure, migration and dispersal, connectivity, ecosystem function and service, resilience, restoration or recovery capacity and environmental stressors, including through regional scientific collaborative platforms in support of regional environmental management plans, as noted above in paragraph 7 (b) (iii), as inputs to the development of regional environmental management plan;

(iii) Fully utilizing relevant environmental and biological data from contractors and researchers in all identified priority areas.

### III. Tentative schedule for the workshops on regional environmental management plans

8. The following tentative schedule for the period 2019–2020 is proposed for organizing workshops to facilitate the development of regional environmental management plans in the priority areas identified in the preliminary strategy:

Priority areas	2019			2020			
	Second quarter	Third quarter	Fourth quarter	First quarter	Second quarter	Third quarter	Fourth quarter
Mid-Atlantic Ridge (through a project funded by the			√		√		

Priority areas	2019			2020			
	Second quarter	Third quarter	Fourth quarter	First quarter	Second quarter	Third quarter	Fourth quarter
European Union)							
Indian Ocean triple junction ridge and nodule-bearing province						√	√
North-west Pacific and South Atlantic for seamounts				√ (North-west Pacific)			√ (South Atlantic)

*Note:* Scientific and technical preparatory work will commence at least four months before each workshop, including the preparation of the data report.

9. Financial and in-kind contributions to support the holding of the workshops, including the necessary scientific preparatory work, is welcome.