

ISBA/26/C/12/Add.1

**Annex II: Status of implementation by the Commission of the relevant high-level actions and associated outputs
for the reporting period 2019-2020**

No. High-level action	Outputs for 2019-2020			
	Description	Responsibility of LTC	Status ¹	Comments
Strategic direction 1: realize the role of the Authority in a global context				
1.5.1 Promote and strengthen dialogue among States, relevant international organizations and stakeholders to foster the use of practical tools for mutual “reasonable regard” in order to accommodate activities in the Area and other activities in the marine environment	Develop practical tools to facilitate the implementation of “reasonable regard”	Associated organ (in partnership with Council)	Ongoing	Some LTC members participated in the second workshop organized by ISA and the IPCP on 29-30 October 2018, in collaboration with the Government of Thailand, on submarine cables and activities in the Area, with a view of “Developing practical options for the implementation of the ‘due regard and reasonable regard’ obligations under the United Nations Convention on the Law of the Sea” (ISBA/25/A/2 , para. 106). The outcomes of the workshop has been published as ISA technical study No.24.

¹The different status used to assess the progress of each high-level actions and/or associated outputs are regrouped in three categories, namely: (i) “completed”, (ii) “in progress”, and (iii) “on hold”. In order to reflect the different status of completion, particularly the fact that some outputs are recurring, two different sub-categories of progress status have been identified. One relates to the “ongoing” nature of some outputs, understood as requiring ongoing attention and adjustment. The other one relates to the fact that in some cases, because the output is to be reported against a specific reporting period or action, the status of completion is “achieved”.

Strategic direction 2: strengthen the regulatory framework for activities in the Area				
2.1.1 Promote the development of rules, regulations and procedures covering all phases of deep sea mining activities	(ii) Facilitate consultation on and a review of available options to be taken into consideration for deciding on the financial model	Coordinating organ (in partnership with FC)	In progress	A presentation was delivered by the MIT to the LTC members in March 2018. The LTC concurred with the fundamental principles applied and the approach taken for the development of the model. The LTC then highlighted areas for further consideration and analysis. The LTC and the secretariat discussed focus areas to be explored on the basis of the relevant items mentioned in the statement by the President of the Council and noted that the Secretary-General would make the arrangements necessary for the consultants to continue their work (ISBA/24/C/9 , para 13). In July 2018, as a way forward to develop the payment mechanism regime, the Council agreed on a proposal made by the delegation of Germany (ISBA/24/C/8/Add.1 , paras 11 & 12, and an open-ended working group (OEWG) was established for this purpose and a total of three meetings of the OEWG as of March 2020, with the fourth meeting to be held in October 2020
2.1.2 Monitor and keep under review rules, regulations and procedures to ensure that they are consistent with the policies, objectives, criteria, principles and provisions set	(ii) Recommend measures to promote the compliance of contractors in future	Coordinating organ	Achieved	As a result of its deliberations held during the 25 th session, the LTC recommended the following approach to the Council: (a) The Secretary-General should follow up in writing with the contractors concerned, taking into account their previous behaviour, and request

out in the Convention and the 1994 Agreement				meetings with them; (b) at the same time, the Secretary-General should write to the respective sponsoring States to bring that issue to their attention and request a meeting with them to address it; (c) if contractors still did not fulfil their contractual obligations in an acceptable manner after the aforementioned steps had been taken, the LTC would communicate to the Council which contractors had not satisfactorily met their contractual requirements and highlight the options available under UNCLOS (ISBA/25/C/19/Add.1 , para.15).
2.2.1 Keep under review rules, regulations and procedures governing mineral exploitation to ensure that they incorporate good industry practice and best practices for environmentally responsible management, in order to promote investment on a level playing field, and that the terms used are clear and consistent	No output against this action	Associated organ	Ongoing	<p>At the July meeting of the 25th session, the LTC agreed on a process and schedule for the development of standards and guidelines that would accompany the Draft regulations on exploitation of mineral resources in the Area (ISBA/25/C/19/Add.1).</p> <p>At its 26th session, the LTC recommended a draft of Annex VI of the draft exploitation regulations on a health and safety plan and a maritime security plan to the Council. It also proposed that the secretariat enter into discussions with ILO with a view to concluding a cooperation agreement between ISA and ILO to keep emerging issues concerning occupational health and safety for personnel involved in exploitation in the Area under</p>

				<p>review (ISBA/26/C/12, para.11-16; ISBA/25/C/19/Add.1, para.23-26).</p> <p>At the 26th session, the LTC, on the basis of work undertaken by two Technical Working Groups it had established, also considered a number of draft standards and guidelines to be developed under phase 1 and related background notes prepared by the secretariat.</p>
2.6.1 Identify the potential impact of mineral production from the Area on the economies of developing land-based producers and the development of possible criteria for economic assistance	Conduct a study on the potential impact of mineral production from the Area on the economies of developing land-based producers	Coordinating organ	In progress	<p>During part I of the 26th session, the LTC, while performing the functions of the Economic Planning Commission, took note of a draft report on the study of the potential impact of polymetallic nodule production from the Area on the economies of the developing land-based producers of those metals that were likely to be the most seriously affected, and also noted that the report would be finalized in April 2020 and published on the website of ISA. The LTC will consider the finalized report and make recommendations thereon to the Council at its July session (ISBA/26/C/12, para. 17).</p>
Strategic direction 3: protect the marine environment				
3.1.1 Develop the regulatory framework for the protection of the marine environment from harmful effects which	(i) Review the application of the precautionary approach to activities in the Area	Organ responsible (in partnership with Council)	Achieved	(See ISBA/25/C/8)

may arise from activities in the Area				
	(ii) Develop guidance for contractors on the establishment of impact and preservation reference zones	Organ responsible	Achieved	During part I of the 24 th session, the LTC was briefed on the outcomes of the ISA workshop on the Design of Impact Reference Zones and Preservation Reference Zones in the Area, convened in Berlin, Germany, in September 2017. The LTC considered the design of impact and preservation reference zones in its revision of Recommendations ISBA/19/LTC/8 (ISBA/24/C/9 , para. 15), which was issued as ISBA/25/LTC/6/Rev.1 , drawing on the outcomes of this workshop which also led to the development of a technical study (ISA Technical Study No. 21) and a briefing paper (Briefing paper 02/2018).
3.1.2 Implement the regulatory framework for the protection of the marine environment from harmful effects which may arise from activities in the Area	Develop a mechanism and procedure for the independent review of environmental plans and performance assessments under the draft regulations on exploitation	Associated organ	Achieved	(See ISBA/25/C/10). The mechanism is still under discussion by the Council.
3.1.4 Keep under review best environmental practices and monitor developments in best available techniques	No output against this action	Associated organ	In progress	The LTC considered best environmental practices and best available techniques in developing the Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising

				from exploration for marine minerals in the Area (ISBA/25/LTC/6/Rev.1), as well as in the ongoing deliberations of the technical working group on the expected scope and standard of baseline data collection.
3.2.1 Develop regional environmental assessments and management plans for all mineral provinces in the Area where exploration or exploitation is taking place	(iii) Report on progress with the implementation of the Authority's programme for regional environmental management plans	Coordinating organ	Ongoing	At part I of the 26 th session, the LTC took note of the outcomes of the two workshops organized by the Secretariat in collaboration with the University of Hawaii (CCZ) and the European Union as well as the Government of Portugal and University of Évora (Mid-Atlantic Ridge), held in October and November 2019 on deep sea biodiversity of the CCZ and on the REMP for the Area of the northern Mid-Atlantic Ridge (ISBA/26/LTC/2). The LTC also held an informal workshop on 29 February 2020 to discuss the key scientific approaches and results of the two workshops mentioned above. The LTC members recognized the significant scientific achievements of the two workshops, and highlighted the continued evolution of the scientific approaches as REMPs are being developed in regions with different mineral resources and ecosystems (ISBA/26/C/12 , para.31 – 32). Some LTC members actively participated in an international workshop “Towards a standardized approach for regional environmental management plans in the Area”, jointly organized by Germany, the Netherlands

				and the Pew Charitable Trusts in Hamburg, Germany, from 11 to 13 November 2019. The outcomes of this workshop resulted in the submission of two documents ISBA/26/C/6 and ISBA/26/C/7 to the Council.
	(iv) Prepare regional environmental assessments compiling relevant scientific information in support of the development of regional environmental management plans	Organ responsible	In progress	At part I of the 26 th session, the LTC acknowledged the work carried out in partnership with the Secretariat and highlighted the continued evolution of the scientific approaches as REMPs are being developed in regions with different mineral resources and ecosystems (ISBA/26/C/12 , para.32).
3.2.3 Keep under review the implementation of the regional environmental management plans, including with regard to the challenges and constraints identified therein, for all mineral provinces in the Area where exploration or exploitation is taking or will take place	(iii) Review the effectiveness of existing areas of particular environmental interest and consider the designation of additional areas	Organ responsible	In progress	At part I of the 26 th session, the LTC acknowledged the need for additional APEIs in the CCZ to improve representativity and close spatial gaps in the current network of such areas. The LTC took note of further work to be carried out during the inter-sessional period on the placement and configuration of additional APEIs, with assistance from the Secretariat. The LTC decided to reconsider this issue at the July session, with a view to formulating recommendations for the consideration of the Council (ISBA/26/C/12 , para.33).
3.3.2 Encourage participation by stakeholders in the development and review of the regulatory framework	(i) Develop procedures and mechanisms to facilitate the consultation of stakeholders	Associated organ	In progress	At part I of the 26 th session, the LTC decided that in light of the interlinkages between a number of the standards and guidelines under consideration, all should be submitted for

adopted for the protection of the marine environment				stakeholder consultations at the same time (ISBA/26/C/12 , para.21).
3.4.1 Establish robust monitoring programmes and methodologies to assess the potential risks that activities in the Area interfere with the ecological balance of the marine environment	(i) Develop recommendations for the guidance of contractors for testing mining components or other activities requiring an environmental impact assessment during exploration	Organ responsible	Achieved	During part I of the 25 th session, the LTC adopted the revised Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area (ISBA/25/LTC/6/Rev.1 ; ISBA/25/C/19 , para.16-19).
	(ii) Develop recommendations for the guidance of contractors on the process to be followed for conducting an environmental impact assessment of a mining test	Organ responsible	In progress	During part I of the 26 th session, the LTC considered and endorsed the process for reviewing the environmental impact statement in relation to the testing of mining components or other activities requiring an environmental impact assessment during exploration, as well as a template for reporting an environmental impact assessment undertaken during exploration, which will be incorporated as annexes in document ISBA/25/LTC/6 (ISBA/26/C/12 , para.30).
3.4.2 Keep under review the adequacy of the monitoring programmes and methodologies	(i) Review environmental impact assessments for testing collector components in the exploitation areas	Organ responsible	In progress	The relevant proposals have been included in the Draft Exploitation Regulations as regulation 47 and Annex IV (ISBA/25/C/WP.1). The LTC also established a Technical Working Group to develop standards and guidelines relations to EIA and

				development of EIS (ISBA/25/C/19/Add.1 , annex)
	(ii) Review the recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area	Organ responsible	Achieved	(See ISBA/25/LTC/6/Rev.1)
3.5.1 Monitor, through cooperation with contractors, sponsoring States and other stakeholders, pollution and hazards to the marine environment from seabed activities undertaken in the Area	(i) Develop standards and guidelines for monitoring and ensuring the conduct of risk assessments	Associated organ	In progress	During part I of the 26 th session, the Co-Chairs of the technical working group established by the LTC to develop standards and guidelines for environmental impact assessments and for the preparation of an environmental impact statement, and also to develop standards and guidelines for the preparation of environmental management and monitoring plans provided an update on the progress in the work of the working group. The LTC established an informal working group to consider a draft standard on the environmental impact assessment process prepared by the technical working group. Although a draft version of the standard was endorsed by the LTC, it was considered that guidelines for the process and for the preparation of an environmental impact statement would be further developed during the intersessional period, and that work could

				feed back into further consideration of the standard on the environmental impact assessment process. It was agreed to revisit those standards and guidelines at the July session. The LTC also took note that standards and/or guidelines on the preparation of an environmental management and monitoring plan would be developed during the intersessional period for consideration at the July session (ISBA/26/C/12 , para.22-24).
3.5.2 Keep under review regulations, procedures, monitoring programmes and methodologies to prevent, reduce and control pollution and other hazards to the marine environment, as well as interference with the ecological balance of that environment; to prevent damage to the flora and fauna of the marine environment	No output against this action	Organ responsible	Ongoing	During part I of 25 th session, the LTC members participated in an informal workshop with a view of presenting the work of the legal working group on liability for environmental harm. The LTC decided to explore the issue further at its next sessions (ISBA/25/C/19 , para 28).
3.5.3 Implement the relevant requirements relating to the protection of the marine environment as contained in part XII of the Convention	Compile relevant guidelines on the development and management of marine protected areas beyond national jurisdictions	Associated organ	In progress	During the part I of the 25 th session, the Council requested the LTC, in consultation with the Finance Committee if necessary, to further develop the “Guidance to facilitate the development of regional environmental management plans”, in accordance with UNCLOS, the 1994 Agreement, as well as the

				rules, regulations and procedures of ISA, and taking into account, as appropriate, the above-mentioned proposals, with a view to recommending to the Council a standardized approach, including a template with indicative elements. During the part I of the 26 th session, the LTC, pursuant to the decision of the Council concerning a standardized approach for the development, approval and review of REMPs in the Area, the LTC discussed steps to be taken during the intersessional period in implementing the decision, with a view to discussing the results of that intersessional work at the July session (ISBA/26/C/10 , and ISBA/26/C/12 , para, 34).
Strategic direction 4: promote and encourage marine scientific research in the Area				
Strategic direction 5: build capacity for developing States				
5.3.1 Promote, prioritize and implement capacity-building measures in all projects and activities, as far as practicable, implemented by the Authority, alone and in partnership, with an emphasis on the needs identified by developing States	(iii) Develop and implement measures and process that ensure the selection of the best qualified candidates	Coordinating organ	Achieved	Between July 2019 and January 2020, 20 first-ranked and 20 alternative candidates had been selected by the LTC for six training programmes provided by contractors. The LTC also reiterated the need that members of the Council assist by suggesting where advertisements for training could be targeted in order to attract a wider range of applications. The LTC is now seeking the support of the Council in calling for its members and observers to provide the necessary facilitation,

				including visas, to the selected candidates (ISBA/26/C/12 , para.4-7).
5.4.1 Undertake regular assessments of contractors' training programmes and their long-term impact on capacity-building	(i) Analyse the long-term impact of the contractors' training programmes	Coordinating organ	In progress	As part of the preparatory work for the capacity development workshop organized by ISA in February 2020, the secretariat conducted an assessment of the capacity building programmes and initiatives implemented by ISA including the contractor training programme. A specifically tailored survey was designed to receive comments from ISA's members, contractors and former trainees. It is envisaged that the recommendations presented by the Secretary-General on the basis of this assessment and the discussions held at the workshop would enable ISA to progress with the development of the required methodology and analysis of the long term impact of training (see ISBA/26/A/7).
	(ii) Recommend measures to improve the impact of the contractors' training programmes	Coordinating organ	In progress	As above.
5.4.2 Facilitate the adjustment of contractor training programmes to meet the needs of developing States	(i) Identify, in partnership with contractors, options for the adjustment of their contractors' training programmes	Coordinating organ	In progress	This will be driven by the recommendations presented by the Secretary-General on the basis of this assessment and the discussions held at the workshop.

	(ii) Develop cost-effective measures to improve the delivery of the contractors' training programmes	Coordinating organ	In progress	As above.
Strategic direction 6: ensure fully integrated participation by developing States				
6.3.1 Identify training opportunities for personnel from developing States in marine science and technology	(iii) Establish and maintain a database of trainees from developing States who have benefited from training opportunities	Coordinating organ	In progress	The database exists, however due to its growing complexity it will have to be reconfigured into a relational database with a network location, predefined reporting templates and other querying functionality.
6.3.2 Actively promote partnerships with Governments, contractors and international organizations to maintain and develop training opportunities for personnel from developing States	(i) Facilitate the selection of qualified candidates for training programmes under plans of work	Associated organ	Ongoing	Between July 2019 and January 2020, 20 first-ranked and 20 alternative candidates had been selected by the Commission for six training programmes provided by contractors (ISBA/26/C/12 , para.4). Particular attention had been given to promote and encourage the participation of qualified women professionals.
	(ii) Report on the implementation of training programmes	Associated organ	Ongoing	(See ISBA/25/LTC/5 , ISBA/25/LTC/7 and ISBA/26/LTC/3).
6.5.1 Identify possible approaches to the independent operation of the Enterprise, including procedures and criteria for joint venture operations	(i) Commission a study on the operationalization of the Enterprise	Coordinating organ	Achieved	During part II of the 25 th session, the LTC took note of the study prepared by and conducted a preliminary discussion of the study (ISBA/25/C/19/Add.1 , para. 32-34). During part I of the 26 th session, the LTC made some

				substantive recommendations (ISBA/26/C/12 , para.37-41).
Strategic direction 7: ensure equitable sharing of financial and other economic benefits				
Strategic direction 8: improve the organizational performance of the Authority				
8.2.2 Implement and keep under review working methods and processes of the organs of the Authority	(ii) Issue a report of the Chair of the Legal and Technical Commission on the work of the Commission	Organ responsible	Ongoing	(See ISBA/25/C/19 , ISBA/25/C/19/Add.1 and ISBA/26/C/12).
Strategic direction 9: Commit to transparency				
9.3.2 Develop clear, open and cost-effective working practices and procedures to ensure that the chain of responsibility and accountability is properly managed in the development, implementation and enforcement of technical, environmental, operational, scientific and safety regulations and standards for activities in the Area	(ii) Report on the status of contracts for exploration and related matters, including information on the periodic review of the implementation of approved plans of work for exploration	Associated organ	Ongoing	The periodic review process continued to be refined during 25 th and 26 th sessions: the role of LTC was defined more clearly, recommendations on the standardisation of the format of periodic reports was finalised by the LTC and the Secretariat implemented its standardised process of reviewing periodic reports (ISBA/25/C/19/Add.1 , para.5-17 ; ISBA/26/C/12 , para.3-9). These matters will be subject of continuous review form time to time in order to improve the process.
	(iii) Encourage contractors to provide detailed	Associated organ	Ongoing	During part I of the 26 th session, in order to assist contractors in reporting on the five-year

	programmes of activities for five-year periods that include clear objectives			period of exploration activities, in particular to summarize, evaluate and report on the performance of their plans of work in a concise manner, the LTC had developed a template for the content of periodic reports and had advised the Secretary-General to present the template to contractors (ISBA/26/C/12 , para.9).
9.4.2 Actively engage relevant stakeholders in the work of the Authority, as appropriate	(iii) Consider the implications of holding open meetings for the Legal and Technical Commission and how such meetings could be structured to facilitate meaningful input and exchanges in specific subjects	Organ responsible	Achieved	During part I of the 25 th session, the LTC considered the issue of holding open meetings. The LTC decided that, in consideration of further open meeting arrangements, it should keep in mind the strategic plan of ISA for the period 2019–2023 and take into account those issues of general interest to members of the ISA and not involving confidential information, such as the development of REMPs. The LTC also welcomed the planned publication of the communication strategy of ISA (ISBA/25/C/19 , para. 26).