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Agenda item 9

Report of the Secretary-General on the status of national legislation relating to deep seabed mining and related matters

Laws, regulations and administrative measures adopted by sponsoring States and other members of the International Seabed Authority with respect to the activities in the Area, and related matters, including a comparative study of existing national legislation

Report of the Secretary-General

1. At the seventeenth session of the International Seabed Authority, in 2011, the Council of the Authority requested, for the first time, the Secretary-General to prepare a report on the laws, regulations and administrative measures adopted by sponsoring States and other members of the Authority with respect to the activities in the Area, and invited sponsoring States and other members of the Authority, as appropriate, to provide information on, or the texts of, relevant national laws, regulations and administrative measures to the secretariat ([ISBA/17/C/20](#), para. 3).
2. At the eighteenth session, in 2012, the Secretary-General presented such a report to the Council ([ISBA/18/C/8](#) and [ISBA/18/C/8/Add.1](#)). At that session, the Council decided that the matter would be a standing item on its agenda and requested the Secretary-General to prepare an updated report annually for consideration by the Council. Those subsequent reports are contained in documents [ISBA/19/C/12](#), [ISBA/20/C/11](#) and [ISBA/20/C/11/Corr.1](#) and [ISBA/20/C/11/Add.1](#), [ISBA/21/C/7](#), [ISBA/22/C/8](#), [ISBA/23/C/6](#), [ISBA/24/C/13](#) and [ISBA/25/C/24](#).
3. At the twenty-third session, in 2017, by its decision relating to the final report on the first periodic review of the international regime of the Area pursuant to article 154 of the United Nations Convention on the Law of the Sea, the Assembly invited sponsoring States, if they had not already done so, to review their respective national legislation to control activities by their sponsored entities, drawing on the advisory opinion of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea ([ISBA/23/A/13](#), sect. B). In the same decision, the Assembly requested the Secretary-General to keep updating, as necessary, the compilation of



the relevant national laws, regulations and administrative measures of sponsoring States with respect to activities in the Area (*ibid.*, sect. E, para. 2).

4. In a note verbale dated 13 March 2020, the secretariat reiterated its invitation to sponsoring States and other members of the Authority to submit to the secretariat the texts of relevant national laws, regulations and administrative measures or related information and to indicate whether they were in the process of reviewing them or had relevant policies towards legislating in this regard.

5. As at 20 May, no such information had been received. The Authority's online database contains information on or the texts of relevant national legislation received from the following 33 States: Belgium, Brazil, China, Cook Islands, Cuba, Czechia, Dominican Republic, Fiji, France, Georgia, Germany, Guyana, India, Japan, Kiribati, Mexico, Micronesia (Federated States of), Montenegro, Nauru, Netherlands, New Zealand, Nigeria, Niue, Oman, Republic of Korea, Russian Federation, Singapore, Sudan, Tonga, Tuvalu, United Kingdom of Great Britain and Northern Ireland, United States of America and Zambia. It also contains information received from the Pacific Community. The database contains further information and the texts of national laws, regulations and administrative measures submitted by the aforementioned member and observer States of the Authority.¹ It will continue to be updated upon receipt of new information.

6. In addition, in its decision [ISBA/23/A/13](#), the Assembly requested the Secretary-General to provide the Council with a comparative study of the existing national legislation with a view to deriving common elements therefrom before the end of 2018 (sect. E, para. 3). The study, on which a report was provided to the Council last year (see [ISBA/25/C/24](#)) will be updated and issued as a publication of the Authority during the second half of 2020.

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

¹ www.isa.org.jm/national-legislation-database.