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Report of the Secretary-General on the implementation of the decision of the Council in 2021 relating to the reports of the Chair of the Legal and Technical Commission

Implementation of the decision of the Council in 2021 relating to the reports of the Chair of the Legal and Technical Commission

Report of the Secretary-General

I. Background

1. At its 274th meeting, on 10 December 2021, the Council of the International Seabed Authority adopted a decision relating to the reports of the Chair of the Legal and Technical Commission ([ISBA/26/C/57](#)). In paragraph 24 of the decision, the Council requested that the Secretary-General report to it on the implementation of the decision at its twenty-seventh session and that such annual reporting remain on the agenda of the Council as a standing item. The present report has been prepared accordingly and provides an update on the implementation of the decision of the Council as at 11 May 2022.

2. Section II of the present report provides an update on the work in progress concerning the draft regulations on exploitation of mineral resources in the Area and their associated standards and guidelines (*ibid.*, paras. 3–7).

3. Section III deals with the activities of contractors (*ibid.*, paras. 8–14).

4. Section IV is devoted to the status of regional environmental management plans (*ibid.*, para. 17).

5. Section V provides an update on the implementation of the data management strategy of the Authority.

6. Section VI addresses the request to the Secretary-General to report on how confidentiality can be assured with regard to the work of the Commission in a virtual format (*ibid.*, para. 22).



7. The Secretary-General will submit a separate report on the operationalization of the Economic Planning Commission (*ibid.*, paras. 15 and 16). With respect to the Special Representative of the Secretary-General for the Enterprise (*ibid.*, para. 19), his mandate has been extended until the end of the twenty-seventh session, subject to the availability of funds. A report on the status of the voluntary trust fund for the participation of members of the Council from developing States will be submitted to the Finance Committee.

II. Draft regulations on exploitation of mineral resources in the Area and associated standards and guidelines

8. In response to the request in paragraph 6 of the Council decision, the secretariat prepared a regulation-by-regulation collation of textual proposals presented by member States, observers and stakeholders that had been received by 15 October 2019 for the first part of the twenty-seventh session, in March 2022.

9. The progress made by the Council during the first part of the twenty-seventh session is outlined in the related statement by the President of the Council ([ISBA/27/C/21](#)). Since then, a total of 250 post-session submissions have been received from members and observers and posted on the Authority's website. They comprise 133 submissions for the informal working group on the protection and preservation of the marine environment, 56 for the informal working group on inspection, compliance and enforcement and 61 for the informal working group on institutional matters. The working group facilitators are preparing their respective texts for the meetings of the Council in July.

10. The Facilitator of the informal working group on the protection and preservation of the marine environment will host a webinar on the environmental compensation fund on 21 June 2022. A technical study on the environmental compensation fund has been published by the secretariat (ISA Technical Study No. 27).

III. Activities of contractors

11. The Legal and Technical Commission continues to provide individual feedback to contractors on their annual reports. Annual reports for 2021 were due to be submitted by 31 March 2022 and will be reviewed by the Commission at its meetings in July 2022. The feedback contains recommendations on improving sampling methodologies and reporting, including reporting of environmental studies, monitoring and baseline data collection. The secretariat continues to review the responses of contractors to facilitate continuous improvement.

12. The Secretary-General, through the Compliance Assurance and Regulatory Management Unit of the secretariat, continues to engage with individual contractors on matters raised by the Commission. This activity includes communicating the findings of the Commission to each contractor and, where appropriate, holding meetings with it to review such feedback. Five bilateral meetings have been held between April and May 2022.

13. Standardized templates for providing public information on the plans of work for exploration of contractors have been made available on the Authority's website. In 2022, contractors will be requested to review the information that they have provided using those templates in order to update them with the most recent five-year programme of activities. The Secretary-General continues to pursue dialogue with contractors that have not yet submitted template-based information on their plans of work, namely, JSC Yuzhmorgeologiya, the Government of the Russian Federation (in

respect of the contracts for exploration for polymetallic sulphides and for cobalt-rich ferromanganese crusts) and Beijing Pioneer Hi-Tech Development Corporation.

14. In paragraph 11 of decision [ISBA/26/C/57](#), the Council requested the Secretary-General to report to it annually, identifying instances of alleged non-compliance and the regulatory action recommended or to be taken in accordance with the United Nations Convention on the Law of the Sea, the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 and the regulations on prospecting and exploration, including any monetary penalties to be imposed by the Council. As at 10 May 2022, the Secretary-General had not identified any instances of alleged non-compliance.

15. With respect to the implementation of training programmes, 27 training placements were awarded to candidates from developing States between December 2021 and April 2022 (see [ISBA/27/LTC/5](#)).

16. In relation to paragraph 14 of the same decision, in March 2022, the Commission considered the request of the Council to 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, as contained in documents [ISBA/25/LTC/6/Rev.1](#) and [ISBA/25/LTC/6/Rev.1/Corr.1](#). The Commission agreed to set up a working group to make progress on this matter in July 2022.

IV. Developments regarding regional environmental management plans

17. In March 2022, the Commission considered a report containing a draft regional environmental management plan for the area of the northern Mid-Atlantic Ridge with a focus on polymetallic sulphide deposits, prepared by a working group of the Commission. The Commission decided to continue to work on the draft plan on the basis of the comments and suggestions discussed at its meetings in March. On 14 April, the Commission endorsed the revised draft plan under its silence procedure. As decided by the Commission during the first part of the session, the draft plan was released on 19 April for stakeholder consultation for a period of 45 days. The Commission will consider the stakeholders' comments during the second part of the session, in July 2022.

18. The Commission continued its work on drafting a recommendation for a standardized approach and a general template for the development and review of regional environmental management plans in line with Council decision [ISBA/26/C/10](#). The general template, including indicative elements, will be based on the work of the Commission in developing an outline for the draft regional environmental management plan for the area of the northern Mid-Atlantic Ridge, taking into consideration relevant comments to be received through the stakeholder consultation, as well as the observations of some States on those matters. The Commission will continue its work in July 2022.

V. Data management strategy

19. In paragraph 18 of its decision [ISBA/26/C/57](#), the Council welcomed the progress made by the secretariat towards the implementation of the data management strategy of the Authority, including public access to non-confidential data.

20. On 30 September, the Commission endorsed updated reporting templates for the reporting of geological and environmental data and metadata for the purpose of

annual reports by contractors, and annex IV to document [ISBA/21/LTC/15](#) was amended accordingly. The updated templates have been circulated to contractors to be used for the submission of annual reports in 2022. The secretariat has developed a plan for a series of in-person and virtual data review seminars to work directly with each contractor to address key data issues identified and train them on how to use the updated templates effectively. The first data review seminar will be held on 13 May 2022.

21. The secretariat has initiated the process of converting the updated reporting templates into online forms. This shift from traditional spreadsheets will allow for faster data set creation. The new web-based forms will also improve efficiency with the inclusion of additional quality assurance and quality control measures.

22. The secretariat continues its collaboration with the International Hydrographic Organization and developed an initiative entitled “AREA2030” that is aimed at the compilation of the bathymetric data collected by contractors with the Authority in the Area. The secretariat will also contribute data to the activities of the International Hydrographic Organization for progressing seabed mapping compilations during the United Nations Decade of Ocean Science for Sustainable Development. The data compiled under the AREA2030 initiative will represent a significant share of new bathymetric data for the current Seabed 2030 project of the General Bathymetric Chart of the Ocean and the Nippon Foundation. The secretariat will launch its AREA2030 initiative during the forthcoming World Oceans Day, on 8 June 2022.

23. The secretariat continues the scientific work and interpretation from its DeepData database, with the assistance of experts from developing countries, under the Africa Deep Seabed Resources project. Projects involve the analysis of environmental data and the compilation and analysis of mining technology and metallurgical processing developments.

VI. Measures to ensure the confidentiality of virtual meetings of the Legal and Technical Commission

24. In response to the request of the Council in paragraph 22 of its decision [ISBA/26/C/57](#), the following measures are followed to ensure the confidentiality of the virtual meetings of the Commission. All working papers and documents are uploaded to a secure website accessible only to members of the Commission and authorized staff of the secretariat assisting the Commission in its work. The website is protected by a firewall and requires a two-step authentication process, which can be monitored.

25. Meetings are held using the Interprefy platform for simultaneous interpretation. This also requires a two-factor authentication by all users, including secretariat staff, members of the Commission and interpreters. Interpreters and supporting staff from the service provider are required to sign non-disclosure agreements prior to the meetings of the Commission.

VII. Recommendations

26. The Council is invited to take note of the present report and to provide such guidance as may be necessary.
