

**Council**

Distr.: General
23 August 2005

Original: English

Eleventh session
Kingston, Jamaica
15-26 August 2005

Decision of the Council relating to a request for approval of a plan of work for exploration by the Federal Republic of Germany represented by the German Federal Institute for Geosciences and Natural Resources

The Council of the International Seabed Authority, acting on the recommendation of the Legal and Technical Commission,

Noting that, on 21 July 2005, a request for approval of a plan of work for exploration for polymetallic nodules was submitted to the Secretary-General of the International Seabed Authority in accordance with the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area (“the Regulations”) by the Federal Republic of Germany represented by the German Federal Institute for Geosciences and Natural Resources,

Recalling that, in accordance with paragraph 6 (a) (i) of section 1 of the Annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (“the Agreement”), a plan of work for exploration submitted on behalf of a State or entity, or any component of such entity, referred to in resolution II, paragraph 1 (a) (ii) or (iii), other than a registered pioneer investor, which had already undertaken substantial activities in the Area prior to the entry into force of the Convention, or its successor in interest, shall be considered to have met the financial and technical qualifications necessary for approval of a plan of work if the sponsoring State or States certify that the applicant has expended an amount equivalent to at least US\$ 30 million in research and exploration activities and has expended no less than 10 per cent of the amount in the location, survey and evaluation of the area referred to in the plan of work,

Further recalling that, in accordance with paragraph 6 (a) (i) of section 1 of the Annex of the Agreement, if the plan of work otherwise satisfies the requirements of the Convention and any rules, regulations and procedures adopted pursuant thereto, it shall be approved by the Council in the form of a contract,

Having considered the report and recommendations of the Legal and Technical Commission concerning the request contained in document ISBA/11/C/7,

1. *Decides*, on the basis of the data and information submitted by the Federal Republic of Germany, and taking into account the recommendation of the Legal and Technical Commission, to designate Sectors W2 and E2 as specified in annex II of document ISBA/11/C/7 as the area reserved for the Authority, pursuant to paragraph 2 of regulation 16 of the Regulations;

2. *Decides further*, taking into account the recommendation of the Legal and Technical Commission, to allocate Sectors W1 and E1 as specified in annex II of document ISBA/11/C/7 to the Federal Republic of Germany as its exploration area;

3. *Approves* the plan of work for exploration submitted by the Federal Republic of Germany;

4. *Requests* the Secretary-General of the Authority to take the necessary steps to issue the plan of work for exploration in the form of a contract between the Authority and the Federal Republic of Germany in accordance with the Regulations.
