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Agenda item 8

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 adopted a decision in which it requested 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](#)). The Council decided to make the matter 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](#) and [ISBA/24/C/13](#).
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 25 March 2019, 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. On 27 March, the Permanent Mission of the Sudan to the United Nations submitted a note verbale with the text of the maritime areas and the continental shelf act of 2018 of the Sudan in Arabic. On 8 April, the Permanent Mission of the Federated States of Micronesia to the United Nations submitted a note verbale with the text of its national law, congressional act no. 20-91, otherwise known as the seabed resources act of 2014 of the Federated States of Micronesia.

5. As at 24 May, the following 33 States had provided information on or the texts of relevant national legislation: Belgium, Brazil, China, Cook Islands, Cuba, Czechia, Dominican Republic, Fiji, France, Georgia, Germany, Guyana, India, Japan, Kiribati, Micronesia (Federated States of), Mexico, 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. Submissions had also been received from the Pacific Community. Further information on and the texts of national laws, regulations and administrative measures submitted by the aforementioned member and observer States of the Authority are available from the Authority's online database.¹ The secretariat will continue to update the online database as new information is received.

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 that the secretariat carried out in response to that request has been posted on the website of the Authority² and will be issued as a technical study of the Authority.

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

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

² <https://ran-s3.s3.amazonaws.com/isa.org.jm/s3fs-public/files/documents/compstudy-nld.pdf>.