



## Legal and Technical Commission

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Item 10 of the provisional agenda\*

**Relinquishment of areas under contracts for exploration for polymetallic sulphides and cobalt-rich ferromanganese crusts**

### **Request by the Institut français de recherche pour l'exploitation de la mer to defer relinquishment of part of its contract area**

#### **Note by the Secretariat**

#### **I. Background**

1. The contract for exploration for polymetallic sulphides in the Mid-Atlantic Ridge between the Institut français de recherche pour l'exploitation de la mer (Ifremer) (the contractor) and the International Seabed Authority was signed on 18 November 2014.

2. Pursuant to regulation 27 of the regulations on prospecting and exploration for polymetallic sulphides in the Area ([ISBA/16/A/12/Rev.1](#)), Ifremer was required to relinquish at least 50 per cent of the original area allocated to it by 18 November 2022, being the end of the eighth year from the date of the contract, and at least 75 per cent of the original area allocated to it by 18 November 2024, being the end of the tenth year from the date of the contract. By a letter dated 10 May 2022, addressed to the Secretary-General, the contractor requested a one-year deferment of the relinquishment schedule to 18 November 2023 for the first relinquishment and 18 November 2025 for the second relinquishment. To that end, at its twenty-seventh Session, the Council of the International Seabed Authority, acting on the recommendation of the Legal and Technical Commission, approved the request to defer the relinquishment schedule by one year.<sup>1</sup> By that decision, the first relinquishment of 50 per cent of the contract area would have been due on 18 November 2023 and the second and final relinquishment of 75 per cent of the contract area would have been due on 18 November 2025.

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\* [ISBA/30/LTC/L.1](#).

<sup>1</sup> See [ISBA/27/C/39](#).



3. In accordance with the revised schedule of relinquishment, on 9 October 2023, the contractor submitted to the Authority its notification of relinquishment of 50 per cent of the original contract area, and the Council, during its twenty-ninth session, noted that the Contractor had indeed fulfilled the requirement to relinquish 50 per cent of its contract area in accordance with the regulations and contractual obligations.<sup>2</sup>

4. By a letter dated 18 June 2024 addressed to the Secretary-General, the contractor requested a further deferment of the schedule of the second and final relinquishment by one year, from 18 November 2025 to 18 November 2026.

## II. Justification of the contractor for the deferment of relinquishment

5. The contractor explained that, in its deferment request submitted in 2022, it had outlined the significant impact of the coronavirus disease (COVID-19) pandemic on the development and fine-tuning of a key piece of equipment, an autonomous underwater vehicle system (Ulyx), which was intended for high-resolution mapping of the contract area. The contractor had indicated that the technical readiness level of Ulyx at the time was insufficient for deployment during its exploration campaign in mid-2022 (HERMINE2) in accordance with the exploration strategy initially envisaged.

6. The contractor clarified that, although test dives conducted during the 2022 campaign had facilitated progress in the development of Ulyx, several operational gaps had been identified, necessitating additional performance tests and validation. As a result, the delay caused by the impact of the COVID-19 pandemic remained unresolved, leading to a delay in the availability of Ulyx for the next exploration campaign (HERMINE3).

7. The contractor indicated that the operational transfer of the fully configured Ulyx was projected for completion by December 2024, pending the resolution of outstanding technical and operational actions. To ensure the reliability of Ulyx under the demanding environmental conditions of oceanic ridges, an additional test campaign was planned for 2025. That campaign was aimed at confirming the system's functionality and operational readiness for future deployments. In addition, the next exploration campaign (HERMINE3) would require the use of the research vessel *Pourquoi pas?* due to the complexity of deploying key exploration equipment, including Ulyx and an inhabited submarine. However, the vessel was scheduled for refit and modernization between November 2024 and September 2025. To address those constraints and mitigate weather-related risks in the contract area, the contractor had scheduled the HERMINE3 exploration campaign for the first half of 2026.

8. The request by the contractor is based on paragraph 6 of regulation 27, which provides that the Council may, at the request of the contractor and on the recommendation of the Legal and Technical Commission, in exceptional circumstances, defer the schedule of relinquishment. Such exceptional circumstances must be determined by the Council and must include, inter alia, consideration of prevailing economic circumstances or other unforeseen exceptional circumstances arising in connection with the operational activities of the contractor.

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<sup>2</sup> See ISBA/29/C/8.

### **III. Review by the Legal and Technical Commission**

9. Pursuant to paragraph 6 of regulation 27, the Secretary-General notified the contractor that its request would be placed on the agenda of the forthcoming meeting of the Legal and Technical Commission for consideration and recommendation to the Council.

10. The Commission is invited to consider the request by Ifremer for a deferment of its second and final relinquishment, taking into consideration the justification provided by the contractor, and to make a recommendation to the Council, as provided for in paragraph 6 of regulation 27.

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