



# Council

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## Thirtieth session

Council session, part I

Kingston, 3-14 March 2025

Item 14 of the provisional agenda\*

### **Report of the Chair of the Legal and Technical Commission on the work of the Commission at its thirtieth session**

## **Report of the Chair of the Legal and Technical Commission on the work of the Commission at the first part of its thirtieth session**

### **I. Introduction**

1. The first part of the 30th session of the Legal and Technical Commission (the Commission) of the International Seabed Authority (the Authority) held from 3 to 14 March 2025. A total of 26 members participated in the meetings, Malcolm Clark contributed to agenda items remotely by emails. The Commission noted with concern that this represented the lowest attendance at the meetings since the beginning of its tenure. To this end, the Commission welcomes increased support from member States in ensuring that nominated members are provided with adequate time and resources to fully participate and engage in the work of the Commission.

2. On 3 March, following the opening of the meetings, the Commission re-elected Erasmo Lara Cabrera (Mexico) as Chair and Sissel Eriksen (Norway) as Vice Chair for a third term. The Commission reviewed and took note of intersessional activities relating to its work which occurred in the periods between July 2024 and February 2025.

### **II. Prospecting**

3. Following from its consideration of this matter at the 29th Session, on 3, 4 and 7 March, the Commission noted that Argeo Survey had submitted a 2024 prospecting report.

<sup>1</sup> It considered the key findings and noted that the survey undertaken by Argeo in April 2023 was conducted with an autonomous underwater vehicle (AUV) which collected a wide range of data including bathymetric and environmental data over about 55 km<sup>2</sup>. It further noted that during that survey, no mineral discoveries were made, however, the survey provided

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\* ISBA/30/C/L.1/Rev.1

<sup>1</sup> ISBA/29/C/7/Add.1

valuable data that would contribute to geological knowledge. The data collected was submitted to the Authority.

4. The Commission noted that the prospector had complied with the regulations on prospecting and exploration for polymetallic sulphides in the Area and no additional surveys were conducted in 2024.

### **III. Activities of the contractors**

#### **A. Report on the status of the contracts for exploration and periodic reviews of the implementation of plans of work for exploration.**

5. On 3 March, the Commission took note of the report of the Secretary-General on the status of contracts for exploration; review of contractors' five-year periodic reports; updates with respect to extension agreements and the status of relinquishments. It welcomed the report and noted that the review of one periodic report had been completed; eight were in progress and one is delayed. Five reports are expected to be submitted to the Secretary-General in 2025.

6. The Commission requested that the secretariat keeps it updated particularly on the progress and timeliness of the periodic review processes for contractors.<sup>2</sup>

#### **B. Implementation of training programmes under plans of work for exploration and allocation of training opportunities**

7. On 3 March, the Commission was briefed on the status of the implementation of training programmes since its last meeting in July 2024. The report indicated that during the intersessional period, based on the recommendations of the training subgroup, the Commission selected 33 first-ranked and 19 reserve candidates. A breakdown of the selection of candidates by training programmes under plans of work for exploration from July 2024 to March 2025 is reported in ISBA/30/LTC/6.

8. The Commission further noted that the ISA Capacity Development Network (iCAN) plays a key role in monitoring the impact of the Contractor's Training Programme (CTP) and other ISA capacity development initiatives. The Commission commended the Secretariat for the second call for applications in 2024 which led to incorporating 38 new members from 22 countries, leading to a total of 118 alumni. Out of this number, 86 were beneficiaries of CTP. The Commission further recommended leveraging the diverse geographical and disciplinary representation of iCAN members to enhance outreach and dissemination efforts related to CTP opportunities.

#### **C. Consideration of annual reports of contractors**

9. The Commission continued its work initiated during the 29th Session on assessing the performance of contractor activities in accordance with the criteria outlined in ISBA/29/LTC/5 including on the checklists and associated processes.

10. On March 3, 5, 6, 10, and 11, the Commission reviewed responses from the eight contractors identified at its previous session as requiring specific attention. It noted that whilst some contractors had provided satisfactory responses, others required further clarifications and review.

11. To this end, the relevant contractors will be invited, through the Secretariat and following the adopted modalities in ISBA/29/LTC/6, to a virtual exchange of views with the Commission in May. The objective of the meetings would be to facilitate a detailed exchange of views on ongoing concerns, in line with such modalities, and to enhance mutual

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<sup>2</sup> ISBA/30/C/2 (paragraph 6)

understanding and expectations regarding the implementation of plans of work for exploration.

12. The Commission will report to the Council on the outcome of the exchange of views during the second part of its meetings in July 2025.

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

13. On 3, 11 and 12 March, the Commission considered two requests for deferment of relinquishment from the Government of India and the Institut français de recherche pour l'exploitation de la mer respectively.<sup>3</sup>

14. The Commission considered the request by the Government of India to defer its second relinquishment by two years, indicating that exceptional circumstances relating to the residual effects of the COVID-19 pandemic had adversely affected its subsequent exploration activities. To this end, the Commission accepted that there were reasonable grounds for the request and, recommends that the Council approve the request for deferment as submitted by the Government of India and contained in a draft decision annexed to this report.

15. The Commission noted that the request from Institut français de recherche pour l'exploitation de la mer for a second deferral of its second relinquishment by one year indicating the residual impacts of the COVID-19 pandemic and other operational challenges. In this context, the Commission considered it appropriate to request further details from the contractor on its request for a deferral. The Commission will further liaise with the contractor through the Secretariat and revisit this matter during the second part of the 30th Session.

#### **E. Review of the environmental impact statements submitted by contractors.**

16. During its meetings, the Commission dedicated 8 out of 10 days to the consideration of two environmental impact statements (EIS) submitted by China Minmetals Corporation (CMC) and Beijing Pioneer Hi-Tech Development Corporation (BPC). The Commission reviewed the EISs for completeness, accuracy and statistical reliability in accordance with the Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area.<sup>4</sup>

17. On March 7, a list of questions requesting additional information was sent to CMC, responses were provided by the Contractor on 12 March. After reviewing the responses, the Commission formulated an additional set of questions seeking further clarification. On March 14, an initial set of questions requesting additional information was sent to BPC. The Commission noted that, in order to provide enough time for the consideration of the EIS from BPC, it will continue its analysis in the intersessional period, with a view to finalizing it at the second part of the current session.

18. On 13 and 14 March, the Commission considered the outcome of its review on the EIS by CMC. It noted that the contractor plans to carry out testing of their prototype nodule collector vehicle in July-October of 2025 in the Block A-5 of the Contract Area in the CCZ, with the purpose to test the prototype collector vehicle (PCV), and to monitor and assess its environmental impact. The planned test contains two separate sets of underwater operations. The total area of disturbance area for the two tests is expected to be 0.1 km<sup>2</sup> in a Collector Test Area (CTA) of 0.6km<sup>2</sup>. The total wet weight of nodules that will be collected is estimated to be 1,300 tonnes, and

<sup>3</sup> ISBA/30/LTC/2 and ISBA/30/LTC/3

<sup>4</sup> ISBA/25/LTC/6/Rev.3

that lifted alongside with the collector vehicle to the surface platform is expected to be no more than 10 tonnes. The maximum impact range of the plume is expected to be 2.1 km horizontally and 124 m vertically. The range of sediment plume redeposition with thickness greater than 0.1 mm is expected to be no more than 1 km<sup>2</sup>. The plume is expected to last for up to 3.5 days after the test.

19. In this regard, the Commission considered that the proposed EIS is well organised and well written and that it incorporates the elements required in Annex III of the Recommendations. It was noted that the contractor incorporated both suggestions from consultation and comments from the Secretariat. In addition, they responded to the Commission's comments and questions, and incorporated its suggestions. The Commission considered, among other things, collector operations, the limited nature of the biological baseline data, the assessment provided of test impacts, and appropriateness of the monitoring plans. To improve measurement of impacts relative to natural variability and to ensure that test survey design was robust, discussion with CMC involved exchanges to evaluate sampling locations, numbers and density of sampling stations and gear types in their monitoring surveys, especially in their designated IRZ and Collector Test Area. In synthesis, the Commission concluded that the contractor has evaluated the main sources of risk from the impacts of the test and was satisfied with the assessment that the impacts are sufficiently localised to not cause a risk of serious harm.

20. In conclusion, and after the Commission reviewed the EIS for completeness, accuracy and statistical reliability, in accordance with the Recommendations, it recommends the Secretary-General incorporates the EIS into the programme of activities under the exploration contract of CMC.

## **IV. Regulatory activities of the Authority**

### **A. Development of environmental threshold values**

21. On 7 and 13 March, the Commission took note of the progress made with respect to the development of environmental threshold values for Toxicity, Turbidity and settling of resuspended sediments, and Underwater noise and light pollution by the subgroups of the intersessional expert group (IEG). It also took note that an alternate co-chair was designated for the toxicity subgroup – Ellen Pape. The Commission noted that, following the in-person meeting of the IEG in Kingston in June 2024, the IEG subgroups worked collaboratively during the intersessional period to prepare three chapters of the IEG report describing the work undertaken to date on evaluating thresholds for these three topics.

22. It took note of the highlights of the IEG discussions, related to existing methodologies, approaches and data requirements from other industries and regulatory frameworks for the development of such threshold values. The need to adopt an evolutionary approach in the development and review of threshold values, including adaptive management measures was also noted. The IEG report is expected to identify scientific research needs and approaches for future review and development of thresholds.

23. The Commission noted the need to further consider appropriate spatial and temporal scales of plume effects and sound and light attenuation, as well as cumulative effects among these environmental pressures, and how the development of threshold values relates to other parts of the regulatory framework, including other standards and guidelines and the draft exploitation regulations.

24. The finalization of the draft report of the IEG will continue to be a priority work for the Commission with a view to releasing a draft for stakeholder consultations during the 30th Session, following which all comments received will be reviewed by the Commission and reported to the Council.

## V. Environmental management planning

### A. Development of a standardized procedure for the development, establishment, and review of regional environmental management plans.

25. The Commission noted that during the 29th session, the Council requested the Commission to submit a revised standardized procedure on the development, establishment and review of regional environmental management plans ('the standardized procedure') to the Council before the first part of the 30th session, after consideration of the written comments received from the member States and observers of the Authority.<sup>5</sup>

26. The Commission noted that a total of nine submissions were received from member States and two observers, including one joint submission from three member States.<sup>6</sup> To this end, the Commission worked during the intersessional period and dedicated 6 out of its 10 days of meetings to considering and implementing the comments received from the Stakeholder process. The Commission subdivided the comments into two categories, (i) comments of a scientific and technical nature (ii) comments of a legal nature.

27. The Commission noted that to the furthest extent possible, most substantive scientific and technical comments have been incorporated into the revised draft.<sup>7</sup> The revision notably includes, the inclusion of overarching environmental goals and objectives for REMPs; criteria for the selection of experts to participate in the scientific and management-focused workshops, and details related to the review process for REMPs, among others. The Commission decided to recommend to the Council the consideration and adoption of the revised standardized procedure and template.

28. On 13 March, the Commission further considered other overarching issues that were raised by some of the written comments, which fall within the remit and agenda of the Council, namely: the nature of the REMPs and the standardized procedure; the role of an independent expert Committee; and the responsibilities in relation to regional monitoring:

(a) In relation to the nature of REMPs, the Commission noted that 3 member States and an observer suggest that the standardized procedure and the REMPs should be legally binding. The Commission recalled that the CCZ environmental management plan had been adopted by a Council's decision with legal effects deriving from the terms of that decision, such as on decision-making of the Authority, particularly in approving plans of work. To this end, the Commission notes that the nature of REMPs remains an ongoing discussion in the Council.<sup>8</sup>

(b) In relation to the role of an independent expert committee, the Commission noted that 5 delegations (3 member States and 2 observers) emphasized the need for the creation of such a committee. The Commission noted that in the exercise of its competence, and in accordance with the Convention, it has the possibility to resort to external expertise.<sup>9</sup> In that regard, the Commission recalled its practice of engaging effectively and inclusively with external experts and other stakeholders in the REMP, Standards and Guidelines, environmental thresholds and other similar scientific and technical processes, through workshops and public consultations.<sup>10</sup> The Commission also recalled that the existing

<sup>5</sup> ISBA/29/C/24 (Paragraph 12). The Council had requested the Commission to develop a standardized approach for the development, approval and review of regional environmental management plans in the Area in its decisions in ISBA/26/C/10, ISBA/27/C/44, and recently in ISBA/29/C/24 (Paragraph 12)"

<sup>6</sup> See submissions on the [ISA website](#).

<sup>7</sup> ISBA/30/C/3

<sup>8</sup> ISBA/29/LTC/8

<sup>9</sup> Article 163 of the Convention

<sup>10</sup> Annex, ISBA/29/C/7/Add.1

practice of the Commission leading such expert processes has proven to be effective, inclusive and in conformity with the cost-effectiveness principle as stipulated in the 1994 Agreement.<sup>11</sup>

(c) With regards to the responsibilities for regional monitoring among different organs of the Authority, the Commission recognized that REMPs aim to promote collaboration and cooperation as broadly as possible for managing and monitoring of vast regional areas. The Commission requests that the Council consider how resources are to be allocated to support regional monitoring, noting that it would be a difficult issue to address without clarity on the legal nature of REMPs. The Commission recognized the importance of collaboration with scientific organizations and initiatives in carrying out monitoring at a regional scale and decided to further consider regional monitoring from a scientific and technical perspective in the Recommendations.

29. The Commission noted that the standardized procedure would need to be aligned with the regulations on exploitation of mineral resources in the Area once these have been adopted. It noted that further definitions and descriptions by the Council would not constitute an obstacle for the adoption of the standardized procedure as recommended by the Commission. The Commission also noted that written comments had been received on the Recommendations, the Commission agreed to revisit and revise them after the adoption of the standardized procedure by the Council.<sup>12</sup>

## **B. Development of regional environmental management plans in priority areas.**

30. On 4 March, the Commission took note of recent activities related to the development of REMPs in the Indian and Northwest Pacific regions. The Authority will convene a scientific workshop in Qingdao, China from 27 April to 1 May 2025 on the development of the REMP for the Indian Ocean, with a focus on the Mid-Ocean Ridges and Central Indian Ocean Basin. The workshop will be organised in collaboration with the China Deep Ocean Affairs Administration, the First Institute of Oceanography of the Ministry of Natural Resources of China, and the Secretariat of the Indian Ocean Rim Association.

## **VI. Data management**

### **Review of the workplan of the strategic road map for data management of the Authority for the period 2024–2028.**

31. The Commission welcomed the progress made under the 2024 workplan of the Data Management Strategic Roadmap of the Authority (2023-2028) and endorsed the directions and priorities of the 2025 workplan. It emphasizes the critical role of data in fulfilling the mandates of the Authority for effective management of seabed mineral resources and protection of the marine environment in the Area for the benefit of humankind.

32. The Commission noted that additional resources would be needed to deliver the work plan and increase the quality, availability and accessibility of data on the Area. It underlined that such efforts are necessary for effective governance of the Area and advance deep-sea research, including through further data entry of contractors' historical data into DeepData which is important to support evaluation of both temporal and spatial variability in environmental parameters. In addition, the Commission recommend enhancing the interoperability and interconnection with other relevant global databases through integration of metadata on some of these other relevant data sources and sets. The Commission considered it important to draw the attention of the Council may consider exploring options

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<sup>11</sup> Annex, section 1, paragraph 2

<sup>12</sup> ISBA/29/LTC/8

for securing the necessary resources and mobilize support to ensure these objectives are successfully achieved.

## **VII. Matters referred to the Commission by the Council**

### **Identification of criteria which the Commission could use to decide whether to hold open meetings in accordance with its rules of procedure.**

33. The Commission noted that during the 29th Session, the Council, in its decision on the reports of the Chair of the Legal and Technical Commission, reiterated the importance of transparency and urged the Commission to hold open meetings where appropriate and in accordance with the relevant rules of procedure, while ensuring the confidentiality of sensitive data and information.<sup>13</sup> To this end, On 7 and 11 March, the Commission discussed extensively, the best approaches and criteria for implementing the Council's request within the scope of its current work schedule and priorities.

34. The Commission agreed to the importance of the matter and will continue to hold open meetings where appropriate and in accordance with its rules of procedure, which provide ample opportunity for the Commission to engage with members of the Authority, experts and other stakeholders. As such, open meetings would be conducted when issues of general interest to members of the Authority, which do not involve the discussion of confidential information, are being discussed in line with Rule 6 of its Rules of Procedure. Additionally, the Commission in accordance with Rule 53 of its Rules of Procedure, will invite a member of the Authority to send a representative to attend meetings when matters particularly affecting that member is being discussed. It may also invite any State or entity conducting activities in the Area for consultation and collaboration, as deemed appropriate.

35. The Commission reaffirmed its commitment to its current practice of presenting the Chair's report to the Council and engaging in dialogue during sessions. It also intends to continue with its practise of holding side events during the second part of the Council's sessions, as these have proven valuable over the past two years in strengthening dialogue with Member States and stakeholders. The Commission discussed ways to further utilize and possibly expand this approach to enhance engagement, openness, and transparency in its work.

36. The Commission recognized that several of its recent initiatives have contributed to increased transparency and engagement. These include the establishment of expert groups, such as technical working groups involved in drafting standards and guidelines and the organization of technical workshops on specific matters, such as the development of REMPs for the various regions. Such initiatives continue to serve as valuable platforms for engaging experts and stakeholders. Finally, the Commission will continue to explore cost-effective options such as the organization of informal webinars to engage with stakeholders on non-confidential aspects of its work.

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<sup>13</sup> ISBA/29/C/24

## Annex

### **Draft decision of the Council of the International Seabed Authority on the deferral of the schedule of relinquishment upon request by the Government of India**

*The Council of the International Seabed Authority,*

*Recalling* that, on 26 September 2016, the Government of India entered into a contract for exploration for polymetallic sulphides in the Central Indian Ocean with the Authority,

*Recalling also* regulation 27, paragraph 2, of the regulations on prospecting and exploration for polymetallic sulphides in the Area,<sup>14</sup> which refers to the schedule of relinquishments of the area allocated to contractors,

*Noting* that, according to the schedule, the Government of India was required to relinquish at least 50 per cent of the original contract area allocated to it by 26 September 2024, being the end of the eighth year from the date of the contract, and at least 75 per cent of the original contract area allocated to it by 26 September 2026, being the end of the tenth year from the date of the contract,

*Noting also* that the Government of India, by letter dated 11 May 2023, requested a deferment of the schedule of the first relinquishment from 26 September 2024 to 30 September 2026 and the Council considered this request during the twenty-eighth session, acting on the recommendation of the Legal and Technical Commission, and approved the request for deferment,<sup>15</sup> and that, as a result, the contractor would be required to submit its first relinquishment of at least 50 per cent of the original area allocated to it by 30 September 2026, and its second relinquishment of at least 75 per cent of the original area allocated to it by 26 September 2026,

*Noting further* that the Government of India, by letter dated 28 November 2024, requested a two-year deferment of the schedule of the second relinquishment from 26 September 2026 to 30 September 2028,

*Recognizing* that the contractor has cited residual impacts of the coronavirus disease (COVID-19) pandemic and the overlapping schedules of the first and second relinquishments as exceptional circumstances necessitating the deferment,

*Recalling* that, pursuant to regulation 27, paragraph 6, of the regulations, 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, and that such exceptional circumstances shall include, inter alia, consideration of prevailing economic circumstances or other unforeseen exceptional circumstances arising in connection with the operational activities of the contractor,

*Considering* that the Legal and Technical Commission has found that the reasons presented by the Government of India qualify as “unforeseen exceptional circumstances arising in connection with the operational activities of the contractor”, and has recommended deferring the schedule of the second relinquishment by two years to 30 September 2028,

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\* ISBA/30/C/L.1.

<sup>14</sup> ISBA/16/A/12/Rev.1, annex.

<sup>15</sup> ISBA/28/C/22.



*Acting upon* the recommendation of the Commission,

1. Determines that the reasons presented by the Government of India qualify as “unforeseen exceptional circumstances arising in connection with the operational activities of the contractor”;
  2. Defers the schedule of the second relinquishment to 30 September 2028, as recommended by the Legal and Technical Commission;
  3. Requests the Secretary-General to communicate the present decision to the Government of India.
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