

Item 10 : Consideration, with a view to approval, of applications for extension of a contract for exploration

We note the Seabed Disputes Chamber's ruling on Saturday 18th July that the inquiry and extension decision are separate procedures, and that both require due process. However, the LTC's recommendation to extend NORI's contract arises in a highly complex context that presents significant challenges for both the LTC and the Council to navigate. Has the Council had enough time to fully consider the matter, since the Chamber's orders on Saturday? Does the Council require any further information from the Legal and Technical Commission before making a final decision? We think this would benefit from a few more days for consideration.

Institutional processes should not steer States Parties towards decisions that contradict the ISA's fundamental responsibility to protect the common heritage of humankind. We therefore suggest that the Authority should urgently review and amend its procedures: outdated procedures, drafted decades ago, in a different social, cultural and environmental context. We hope this is the last time that the ISA is required to consider extending the rights of a contractor while serious allegations of wrongful activity remain unresolved. This is not only procedurally uncomfortable—it is an ethical failure built into the system. However, it does not need to be a foregone conclusion, and we believe that the Council still has other options.

Finally, if the ISA cannot effectively regulate contractors during exploration, it is not ready to regulate commercial exploitation. If Member States cannot enforce their existing obligations to prevent the advance of unlawful seabed mining by actors under their jurisdiction, they are not ready to adopt a Mining Code that would authorize the industry to proceed. Until these fundamental governance failures are addressed, the only responsible solution is a formal moratorium on deep-sea mining.