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Agenda item 13

Report of the Chair of the Legal and Technical Commission on the work of the Commission at its thirty-first session

Report of the Chair of the Legal and Technical Commission on the work of the Commission at the second part of its thirty-first session

Addendum

I. Introduction

1. The second part of the thirty-first session of the Legal and Technical Commission of the International Seabed Authority was held from 29 June to 10 July 2026. A total of 30 members participated in the meetings. Haryo Budi Nugroho, Joshua Tiwangye Tuhumwire and Marzone Affonso Rêgo Gavino contributed to the consideration of agenda items via email. Mr. Tuhumwire was unable to participate in the meetings in person due to a self-quarantine order issued by the Ministry of Health and Wellness of Jamaica upon his arrival in Kingston, in accordance with the Ministry's updated travel and health requirements. The Commission reiterates its request to member States to ensure that nominated members remain actively engaged in its work and are provided with adequate time and resources to fully participate in each two-week meeting of the session.

II. 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

2. The Commission took note of the report of the Secretary-General on the status of contracts for exploration and related matters, including information on the periodic review of the implementation of approved plans of work for exploration ([ISBA/31/C/3/Add.1](#)). The Commission welcomed the report and noted the progress made by the secretariat with the completeness check of the environmental impact statement submitted by the Federal Institute for Geosciences and Natural Resources



of Germany (BGR), updates with respect to extension applications, including the incorporation of contractors' responses into extension agreements, and the fulfilment of relinquishment obligations by two contractors.

3. Intersessionally, within each working group, the Commission contributed to the Authority's review of three reports on five-year periodic reviews received from UK Seabed Resources Ltd. (UKSR II contract), the Cook Islands Investment Corporation (CIIC), and Blue Minerals Jamaica Limited, all reporting on their exploration contracts for polymetallic nodules.

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

4. The Commission discussed the status of implementation of training programmes since March 2026. Based on the recommendations of the training subgroup of the Commission, 35 first-ranked and 27 reserve candidates were selected out of 339 for 10 contractors' training programmes. A breakdown of the selection of candidates by training programme under plans of work for exploration from March to July 2026 is contained in document [ISBA/31/LTC/10](#).

5. The Commission commended the secretariat for developing the Authority's capacity-building portal and for the work undertaken to engage the Commission in improving the portal, thereby improving the effectiveness of the trainee candidate selection process. The Commission noted the efforts of the secretariat to expand its network for disseminating training opportunities under the contractors' training programme and encouraged the secretariat to make further efforts, including engaging members of the Commission as a medium to broaden such dissemination. The Commission also expressed its interest in supporting the ongoing exercise by the secretariat to conduct an impact assessment with alumni of the contractors' training programme, underscoring the importance of tracking the mid- to long-term impact of these opportunities on beneficiaries and member States.

6. The Commission discussed the revision of the recommendations for the guidance of contractors and sponsoring States relating to training programmes under plans of work for exploration, notably concerning the term "equivalent" and the crediting of lost training opportunities beyond the control of the contractor. This work will continue intersessionally within the relevant working group.

C. Consideration of annual reports of contractors

Update on contractors previously identified as having responded inadequately, or failed to respond, to the calls from the Council to address issues of concern identified by the Commission in relation to their contractual obligations (contractors whose performance may not be fully aligned with their contractual obligations)

7. Three of the contractors identified in the report of the Chair of the Commission on the work of the Commission at the second part of its thirtieth session ([ISBA/30/C/4/Add.1](#), para. 9 (a) and (c)), namely CIIC, UK Seabed Resources Ltd. (UKSR I contract) and UK Seabed Resources Ltd. (UKSR II contract), have made adjustments in order to address the issues of concern identified by the Commission in relation to their contractual obligations. The Commission will keep monitoring the situation.

8. The situation of the fourth contractor identified in the report (*ibid.*, para. 9 (b)), namely Marawa Research and Exploration Ltd., remains unchanged. Marawa continues its search for a suitable strategic partner. The Commission will keep monitoring the situation.

Identification of contractors that have responded inadequately, or failed to respond, to the calls from the Council to address issues of concern identified by the Commission in relation to their contractual obligations (contractors whose performance may not be fully aligned with their contractual obligations)¹

9. The Commission continued work initiated during the thirtieth session on assessing contractors whose performance had been identified as potentially not being fully aligned with their contractual obligations with the Authority, in accordance with the criteria for identifying contractors that have responded insufficiently or incompletely, or failed to respond, to the calls from the Council to address issues identified by the Commission related to their contractual obligations ([ISBA/29/LTC/5](#)).

10. During the first part of the thirty-first session, the Commission reviewed the responses submitted by the nine contractors initially identified during the second part of the thirtieth session as requiring specific attention (see [ISBA/31/C/4](#)). The review was carried out in accordance with the criteria.

11. Following its assessment in the first part of the thirty-first session, the Commission was satisfied with the responses submitted by one contractor. However, it concluded that the responses submitted by the remaining eight contractors required further elaboration. Accordingly, the Commission requested the Secretary-General to transmit additional comments and questions to those contractors.

12. During the second part of the thirty-first session, the Commission reviewed the responses submitted by the remaining contractors. The responses of one of the contractors could not be reviewed due to ongoing proceedings before the International Tribunal of the Law of the Sea: on 29 June 2026, the President of the Seabed Disputes Chamber of the Tribunal adopted a direction based on articles 90, paragraph 4, and 115 of the Rules of the Tribunal, which was later confirmed by the Chamber, calling upon the parties not to hinder any order that the Chamber may make on the requests for provisional measures. In light of the direction, and having received legal advice from the Legal Counsel of the Authority and the External Legal Counsel, the Commission is currently not in a position to review the responses of the contractor in question. Following its assessment, the Commission was satisfied with the responses submitted by the remaining contractors.

13. Furthermore, in the second part of the thirty-first session, the Commission continued to review instances of inadequate performance and identified contractors requiring specific attention for the next review cycle, in line with the criteria. To this end, the Commission requested that the Secretary-General communicate by letter to the identified contractors the concerns identified during the first step of its evaluation, with a view to undertaking, in its meeting during the first part of the thirty-second session, a review of the responses.

General comments from the evaluation of annual reports

14. During the second part of its thirty-first session, the Commission considered 30 annual reports on activities carried out by contractors in 2025, submitted pursuant to section 10 of the standard clauses of contracts for exploration. The Commission expressed appreciation to the secretariat for its support in the evaluation of the annual

¹ See annex II on distinguishing between different Commission procedures.

reports. Following existing practice, the Commission set up three working groups to review the following aspects of the annual reports: legal, financial and training; geological and technological; and environmental.

Legal, financial and training aspects

15. The Commission noted that a significant number of contractors had reported actual expenditure significantly less than projected expenditure. This continues to be a trend from 2024. In contrast, the number of contractors that reported higher expenditure than projected is less than in 2024. This illustrates a trend of contractors slowing their exploration programmes. Many of the contractors attributed the slowdown to the continued absence of a regulatory framework for exploitation. Although it is not a non-performance issue for the majority of contractors, the trend needs to be brought to the attention of the Council as a general policy issue. The Commission also noted that some contractors had already asked for adjustments to their plans of work and/or programmes of activities. Some of the negotiations with the secretariat in this regard are ongoing, while others have concluded. The Commission noted that, although the training obligations of some contractors are still pending or deferred, there is a general positive trend as to the fulfilment of contractors' training obligations.

16. The Commission noted that some contractors withheld data on the basis that it was confidential or protected by intellectual property rights or awaiting publication in peer-reviewed papers. The Commission reminds the contractors of their obligations to provide information to the Authority in accordance with the regulations on prospecting and exploration and with the recommendations for the guidance of contractors on the content, format and structure of annual reports ([ISBA/21/LTC/15/Rev.1](#)). The Commission emphasizes that annual reports should include data generated during the reporting year and that contractors should not defer the submission of such data to subsequent reporting cycles. The Commission also reminds the contractors that the regulations on prospecting and exploration have provisions for the submission and handling of confidential data by the secretariat.

Geological, technological and environmental aspects

17. The Commission noted that generally most contractors have performed their activities according to their plans of work. Contractors that have conducted activities beyond their planned undertakings for 2025 are commended. Contractors who have not been able to achieve their goals as planned are encouraged to strategize and bring their schedule back on track. Most contractors' answers to the questions on geological, technical and environmental aspects raised in the review of previous reports have been satisfactory. Most reports are structured in accordance with the reporting templates recommended by the Commission (*ibid.*). However, the Commission reminds contractors of the need to comply with all requirements included in those recommendations, including those in section III (e.g. ship track, navigation and bathymetry). The Commission noted that most contractors submitted their data to the DeepData database using the designated reporting templates, and this has generally improved in recent years. However, some contractor data are not compatible with the geological and environmental templates and need to be handled in a different way that requires consideration in terms of their integration into DeepData.

18. The Commission noted that several contractors have conducted excellent scientific studies that are greatly improving understanding of deep-sea ecosystems. However, many environmental studies lack an adequate explanation of how the activities relate to contractors' plans for advancing their environmental baseline. There should be clear linkages between the baseline studies and their application to

future environmental impact assessments. Sampling effort during at-sea surveys remains variable between contractors. Greater consideration of the requirements for being able to quantify spatial and temporal variability is recommended. In addition, studies of pelagic and surface biological communities (in the water column) are still limited. A number of contractors provide inadequate details of their programme of activities in the following year. These are often described in too general terms to be able to understand exactly what is going to be carried out and where, which makes it difficult to appreciate how contractors will effectively advance their geological, mining, metallurgical and environmental studies.

19. The Commission also noted that contractors vary widely in their progress towards finishing exploration in preparation for exploitation. While a few have advanced to testing mining components at sea, many have not reported sufficient information on mining and processing technologies, resource estimation, equipment development or testing protocols, despite some being near the end of their contracts or already in extended contract periods. The Commission requests contractors, where appropriate, to consider cooperating or collaborating with other contractors in the development of their mining components and processing technology.

D. Implementation of the Council's decision relating to a request for additional information from contractors at risk of non-compliance with their contractual obligations

20. In paragraph 10 of its decision [ISBA/30/C/19](#), the Council urged the Commission, with reference to paragraph 9 of the decision and in accordance with section 27 of the standard clauses of contracts for exploration, to pay specific attention to possible non-compliance of contractors with the obligation that they, their employees, subcontractors, agents and all persons engaged in working or acting for them in the conduct of their operations under their exploration contracts shall observe the applicable law, in particular where such possible non-compliance may arise out of direct or indirect actions related to activities in the Area, including contractual obligations to act in accordance with the multilateral legal framework established by the United Nations Convention on the Law of the Sea and the Agreement relating to the Implementation of Part XI of the Convention (1994 Agreement).

21. The Commission took note of the Council's decision. During the first part of its thirty-first session, it took into account the elements included in paragraph 10 of the decision in order to request additional information from two contractors (see [ISBA/31/C/4/Add.1](#)).

22. On 16 March 2026, the Secretary-General informed the two unnamed contractors that during the first part of its thirty-first session, the Commission, in line with the request in paragraph 10 of decision [ISBA/30/C/19](#), had requested additional information. Three questions from the Commission were transmitted to the two contractors, who were invited to submit written responses no later than 31 May.

23. The Commission did not receive answers to its questions. Proceedings against the Authority were instituted before the International Tribunal for the Law of the Sea. On 29 June, the President of the Seabed Disputes Chamber adopted a direction based on articles 90, paragraph 4, and 115 of the Rules of the Tribunal, which was later confirmed by the Chamber, calling upon the parties not to hinder any order that the Chamber may make on the requests for provisional measures. In light of this direction, and having received legal advice from the Legal Counsel of the Authority and the External Legal Counsel, the Commission wishes to inform the Council that it is currently not in a position to continue with the inquiry in order to implement the Council's decision relating to a request for additional information from contractors at

risk of non-compliance with their contractual obligations and the Council's decision relating to the report of the Commission on the implementation of the Council's decision relating to a request of additional information from contractors at risk of non-compliance with their contractual obligations ([ISBA/31/C/18](#), para. 4).

Requests from members of the Council

24. The Council, in paragraph 7 of its decision [ISBA/31/C/18](#), invited the Chair of the Commission to provide responses to the questions posed by Council members in respect of Commission report [ISBA/31/C/4/Add.1](#) during the first part of the Council's thirty-first session as soon as practicable and to the extent appropriate. Three members of the Council, namely Nauru, Singapore and Tonga, asked such questions.

25. However, these questions and additional related requests are associated, directly or indirectly, with the ongoing proceedings before the International Tribunal. On 29 June, the President of the Seabed Disputes Chamber adopted a direction based on articles 90, paragraph 4, and 115 of the Rules of the Tribunal, which was later confirmed by the Seabed Dispute Chamber, calling upon the parties not to hinder any order that the Chamber may make on the requests for provisional measures. In light of this direction, and having received legal advice from the Legal Counsel of the Authority and the External Legal Counsel, the Commission wishes to inform the Council and particularly the three members that have asked questions that it is currently not in a position to respond to their questions and subsequent requests.

E. Consideration of applications for extension of contracts

26. During the first part of the thirty-first session, the Commission considered, in order of receipt, six of the eight applications for extension received. Owing to the limited time frame and workload of the Commission for the first part of the thirty-first session, it did not have time to review the remaining two applications (from BGR, received on 19 December 2025, and from Nauru Ocean Resources Inc. (NORI), received on 19 January 2026). Those two applications, as well as a third, from China Ocean Mineral Resources Research and Development Association (COMRA), received on 15 May 2026, were considered during the second part of the thirty-first session.

27. The Commission carried out its work on the consideration of applications for extension during the second part of its thirty-first session, within its mandate and considering the applicable procedures, notably the decision of the Council relating to the procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the 1994 Agreement ([ISBA/21/C/19](#)), guided by its high degree of integrity and independence, as guaranteed by the Convention. As it has always done, the Commission assessed each application for extension on its own merits.

28. The Commission used its existing three working groups to review the geological and technological, legal, financial and training and environmental aspects of the applications. In reviewing the applications, the Commission adopted a two-stage approach. First, it considered reasons for extension and whether they were beyond the contractors' control, or whether prevailing economic circumstances did not justify proceeding to the exploitation stage, which served as the basis for its overall recommendation. The second consideration concerned the comments, questions and recommendations on aspects of how the applications should be improved, especially in relation to the programme of activities.

29. Following extensive deliberations in the plenary meeting held in the second week of the second part of the thirty-first session, members of the Commission raised various questions in relation to applications in fulfilment of the requirements set out in Council decision [ISBA/21/C/19](#).

30. The Commission recalled that, pursuant to section 1, paragraph 9, of the annex to the 1994 Agreement and paragraph 12 of the procedures and criteria, if it considered that a contractor had made efforts in good faith to comply with the requirements of the contract for exploration but that, for reasons beyond its control, the contractor had been unable to complete the preparatory work necessary for proceeding to the exploitation stage, or if the prevailing economic circumstances did not justify proceeding to the exploitation stage, the Commission was to recommend the approval of the applications.

31. The Commission noted that the formulated questions, comments and recommendations for the contractors would be reflected in their proposed programmes of activities for the extension period, giving due account to the issues raised by the Commission for each request for extension. These would be developed through interaction between the Secretary-General and contractors to finalize the programme of activities as an annex to the extension agreement.

32. As a policy issue, the reference by all contractors to the absence of a regulatory framework for exploitation as justification for seeking an extension of their exploration contract needs to be brought again to the attention of the Council as a general commentary.

33. Having concluded that the information provided by the applicants met one or both of the criteria set out in Council decision [ISBA/21/C/19](#) and that all applicable procedures had been followed, the Commission recommends that the Council approve the three applications.

34. The Commission would like to remind contractors that, in accordance with paragraph 1 (a) of appendix I to decision [ISBA/21/C/19](#), the statement by the contractor of the grounds upon which an extension of the contract for exploration is sought should include particulars of the reasons beyond the contractor's control that have rendered it unable to complete the necessary preparatory work for proceeding to the exploitation stage or an explanation of the reasons why the prevailing economic circumstances do not justify proceeding to the exploitation stage, including an explanation of whether the economic circumstances in question refer to global market conditions in general or to a feasibility assessment regarding the contractor's own project.

35. The reports and recommendations of the Commission in respect of each of the reviewed applications are contained in documents [ISBA/31/C/25](#), [ISBA/31/C/26](#) and [ISBA/31/C/27](#).

F. Review of the environmental impact statements submitted by contractors

36. The Commission considered, both during the intersessional period within the relevant working group and at the thirty-first session, the review of an environmental impact statement submitted by BGR on 9 February 2026 for collector testing scheduled in the third quarter of 2027. The Commission reviewed the statement 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 ([ISBA/25/LTC/6/Rev.3](#)).

37. The Commission had additional questions and requested the Secretary-General to transmit them to BGR for its response. The Commission will continue its evaluation during the intersessional period within the relevant working group, upon receipt of responses from BGR, with a view to finalizing it during the first part of the thirty-second session.

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

38. The Commission took note of the relinquishment by the Government of the Republic of Korea of one third of the exploration area allocated to it under its contract for exploration for cobalt-rich ferromanganese crusts (see [ISBA/31/LTC/6](#)) and the relinquishment of 75% of the area allocated to BGR under its contract for exploration for polymetallic sulphides (see [ISBA/31/LTC/7](#)).

III. Consideration of applications for approval of plans of work for exploration

39. It is recalled that during the first part of the thirty-first session, the Commission considered the application for approval of a plan of work for exploration for polymetallic nodules submitted by Impossible Metals Bahrain W.L.L. (IMB). Following this review, a list of further questions and comments prepared by the Commission was transmitted by the Secretary-General to IMB.

40. On 28 May, the Secretary-General received responses from IMB, including its updated application and associated documents. Additionally, on 24 June, the secretariat received a letter from IMB informing the Secretary-General and the Commission of the material changes to its application, including the share transfer agreement and the legal opinion on that agreement, as well as information on fundraising and engagement of the operational partner. IMB indicated that it would need some months to remedy these issues.

41. During the second part of the thirty-first session, the Commission considered the letter from IMB and decided to defer consideration of the updated application to its meeting during the first part of the thirty-second session.

IV. Regulatory activities of the Authority

A. Development of environmental threshold values

42. The Commission took note of the progress made by the intersessional expert group with respect to the development of environmental threshold values for toxicity, turbidity and the settling of resuspended sediments, underwater noise and light pollution. The group's report was finalized by its Co-Chairs with editorial support from the secretariat during the intersessional period. The report was circulated to group members for their review and comments from 4 May to 1 June 2026. The Co-Chairs prepared a revised final version of the report considering the comments of the group members.

43. In line with Council decision [ISBA/27/C/42](#), the Commission will consider the report and submit, after formal stakeholder consultation, its recommendations on how to make progress on the development of environmental threshold values to the Council. The Commission noted that the report was anticipated to be published on the

website of the Authority at the start of August for a period of 90 days of stakeholder consultation.

44. The secretariat will assist the group's Co-Chairs with the consultation process in terms of compiling comments and feedback on the report. The Co-Chairs will review and consider stakeholder comments and prepare a revised report to be presented to the Commission. The Commission is expected to consider the report and the outcomes of the stakeholder consultation process and make its recommendation to the Council during the thirty-second session.

45. To support the work of the Commission, the secretariat will continue to allocate financial and human resources to preparing draft standards and guidelines related to environmental threshold values within the Authority's regulatory framework.

B. Development of standards and guidelines for activities in the Area

46. The Commission continued considering the status of work relating to the development of standards and guidelines to support exploitation activities in the Area, as requested by the Council (ISBA/31/C/19/Rev.1, para. 42). It prepared a preliminary updated version of the standards and guidelines needing development from a consolidated list considered by the Council in 2025 (ISBA/30/C/CRP.5). This updated version includes revisions or suggestions on the applicable phases for developing standards and guidelines, considering the nature and purpose of the different subjects in accordance with the implementation of the regulations, once in place.

47. In addition, the Commission identified the drafts already prepared that could be subject to revision, in light of the current state of negotiations on the draft regulations. In this regard, the Commission considered that, although drafts could be revised or updated for some standards and/or guidelines for which the regulations were relatively stable, guidance from the Council would be necessary for others, in particular regarding the structure and contents of the existing drafts.

48. In order to facilitate consideration by the Council on these matters, an updated list of standards and guidelines based on the further revised consolidated text (ISBA/31/C/CRP.1/Rev.2) is enclosed with the present report (see annex I), highlighting those that are considered necessary to be ready by the time of the adoption of the draft regulations (phase 1) as well as those considered necessary to be ready in phase 2 (before the acceptance of an application for a plan of work for exploitation) and phase 3 (before commercial mining activities commence). It also includes comments or observations on each standard or guidelines, the current status, as well as those organs of the Authority possibly responsible for further development at this stage. Without prejudice to the consideration or assessment by the Council, the Commission considered that such a list could provide useful elements for advancing work and inform the possible guidance the Council may provide to the Commission and the secretariat.

49. Finally, the Commission suggests that a possible immediate timeline or road map may include, as a first step, receiving guidance from the Council at the thirty-first session, followed by further consideration of the matter by the Commission within the relevant working group in the intersessional period, with the aim of further advancing work at the thirty-second session. It is important to emphasize that sufficient resources would need to be allocated to reviewing the current list of draft standards and guidelines and for developing others.

50. The Commission considers it timely to recall its recommendations, endorsed by the Council, on the importance of an outcome-based approach, in particular in connection with environmental regulations, drawing on existing best practices in

regulatory frameworks for other industries. Such an approach would provide for rigorous and contractually binding outcomes, while affording flexibility in relation to the processes used to achieve those outcomes. It will also allow for structured and timely completion of the relevant standards and guidelines. On this point, and at this stage, the Commission has identified numerous references to standards and guidelines in the current consolidated text of the draft regulations (see the third revision of the further revised consolidated text (ISBA/31/C/CRP.1/Rev.3)), which suggests it would need to be streamlined, following such an outcome-oriented approach. Lastly, the Commission recalls the importance of a regular review of standards and guidelines in the light of developments in knowledge and improved technology. This approach would additionally facilitate the early completion of the applicable drafts, which would need to be adapted or improved, considering the practice.

V. Environmental management planning

Development, establishment and review of regional environmental management plans

51. The Commission was briefed about recent developments related to the development, establishment and review of regional environmental management plans. With regard to the development of the regional environmental management plan for the Area of the north-west Pacific Ocean, the Commission took note of the outcomes of the recent workshop held in Busan, Republic of Korea, in May 2026. A total of 30 international participants from 16 countries attended the workshop, including those nominated by all States whose jurisdiction lies adjacent to the proposed regional environmental management plan area, sponsoring States, contractors and observers. The workshop built on the results from the three previous workshops related to scientific aspects of regional environmental management plan development and focused, *inter alia*, on the proposed management measures and priorities for implementation under the future plan for the Area of the north-west Pacific Ocean, in line with the standardized procedure for the development, establishment and review of such plans ([ISBA/30/C/21](#)).

52. The Commission worked intersessionally within the relevant working group and on several days of both weeks of its meeting during the second part of the thirty-first session to complete the draft regional environmental management plan for the Area of the north-west Pacific Ocean, taking into consideration the views expressed by different stakeholders during the various workshops. The Commission considered the revised draft and decided to release it for State and stakeholder consultation, following the process outlined in the standardized procedure for such plans (*ibid.*, sect. III.F). The consultation will start in the first week of August and be open for a period of 90 days. Further details on the State and stakeholder consultations will be provided in a notification to be issued by the secretariat.

53. An update was also provided to the Commission on progress made intersessionally in the development of a regional environmental management plan for the Area of the Indian Ocean in relation to polymetallic nodule and polymetallic sulphide mineral resources. The plan for convening an additional management workshop in 2027, in line with the standardized procedure for regional environmental management plans, was noted.

54. The Commission also discussed the five-year review of the environmental management plan for the Clarion Clipperton Zone adopted in Council decision [ISBA/18/C/22](#). The review will include its alignment with the standardized procedure for regional environmental management plans and the template annexed thereto, as well as new data and information. In light of the heavy workload of the Commission

at its thirty-first session, as well as the ongoing work on a review of newly available environmental data and validation of the existing habitat classification model, the Commission decided to defer the review of the environmental management plan for the Clarion Clipperton Zone to early 2027.

VI. Data management

Review of the workplan of the strategic road map for data management of the Authority for the period 2023–2028

55. During the second part of the thirty-first session and the intersessional period within the relevant working group, the Commission considered aspects of data management by the Authority. The Commission considered the progress made regarding the assessment of the Authority's DeepData database by the Danish Hydraulic Institute as an in-kind contribution under the letter of cooperation between the Institute and the Authority. Since its launch in 2019, the database has become an important foundation for the management and dissemination of contractor exploration data. However, there are major limitations with the functionality of DeepData for data input, data extraction, analysis, visualization and integration of large data files within the present system. These constrain the ability of the database to meet current and future research and management needs in support of the Authority's obligations regarding the governance of the Area and the advancement of marine scientific research in the Area. The Commission agreed on the key challenges identified in the assessment and supported several recommendations proposed by the Institute on a "next generation" DeepData database. These should be acted upon with urgency to better serve the expectations and needs of DeepData end users, namely the Authority's organs, contractors, scientists and other stakeholders.

56. The Commission underscored the urgent need to prioritize the allocation of adequate resources to ensure the maintenance and continued development of DeepData, with a view to improving the ability of the Authority to fulfil the minimum requirements of its mandate concerning the management of data related to the Area, particularly given the rapidly growing volume, complexity and diversity of data that must be managed.

57. During its review of contractors' annual reports (see sect. II.C above), the Commission noted that a number of contractors had not provided bathymetric, backscatter and geophysical data in the recommended format and resolution, nor had they consistently supplied the required metadata, as set out in document [ISBA/21/LTC/15/Rev.1](#). To obtain a comprehensive understanding of the extent of this matter, the Commission requested the secretariat to undertake an assessment of these data submissions across the full duration of all exploration contracts in the upcoming intersessional period. The results of this assessment will be considered by the Commission at its next session, and will determine, as appropriate, any further steps needed to facilitate adequate performance with regard to each contractor's contractual obligations.

58. The Commission emphasized the need to prioritize resources for data management, recognizing its critical role in effective data collection, analysis, monitoring and compliance.

VII. Matters referred to the Commission by the Council

Development of a procedure and criteria for consideration of a request for the transfer of rights and obligations under a contract for exploration

59. On 31 March, one contractor notified the Secretary-General of its intention to formally submit an application for the transfer of rights and obligations in relation to its contract for exploration of polymetallic nodules. On 8 June, the contractor stated that a formal submission to the Authority would be prepared in accordance with document [ISBA/27/C/35](#) and was expected to be submitted in advance of the meeting of the Commission during the first part of the thirty-second session.

60. It is recalled that, during the twenty-seventh session of the Authority, the Commission submitted a draft procedure and criteria for consideration of a request for the transfer of rights and obligations under a contract for exploration ([ISBA/27/C/35](#), annex I), for consideration by the Council. During the same session, the Council took note of this work and requested the Commission to continue to revise the draft, once the Council had considered issues relating to the transfer of rights and obligations under a contract for exploitation in the draft regulations for exploitation, as well as relevant issues related to effective control. It is noted that these issues are currently under consideration by the Council.

61. Therefore, there is currently no formally adopted procedure or criteria for consideration of a request for the transfer of rights and obligations under a contract for exploration. This does not preclude such a request being submitted by a contractor and granted in accordance with article 20 of annex III to the Convention and section 22 of the standard clauses of contracts for exploration.

62. During the second part of the thirty-first session, the Commission discussed the matter and, with a view to assisting the secretariat to process the potential application for a transfer of rights and obligations and to assisting the Commission in considering the application, the Commission seeks guidance from the Council on the applicable procedure and criteria in this regard, including whether the draft procedure and criteria should apply provisionally.

VIII. Other matters

63. The Commission wishes to draw the attention of the Council to a number of issues related to its ability to discharge its functions effectively. The workload of the Commission has continued to increase significantly and has required extensive intersessional work by its members within their respective working groups. While the Commission acknowledges the hard work of the staff at the secretariat, it also emphasizes that the current context makes it imperative to ensure adequate administrative and technical support from the secretariat. This includes the timely provision of legal advice and feedback, information on matters that arise and impact the work of the Commission, appropriate meeting facilities and effective communication and coordination with the professional staff of the various sections of the secretariat, whose support is appreciated. These elements are indispensable to enable the Commission to fulfil its mandate efficiently and effectively.

Consideration of scoping reports submitted by contractors

64. The Commission took note of the importance of the scoping process in the provision of proportionate environmental impact statements. While the value of a scoping report is clear in the draft regulations on exploitation, it is not so under the regulations on prospecting and exploration and other recommendations, nor is the

potential review role of the Commission defined. The Commission proposed that its role in the scoping process under exploration be considered through intersessional work within the relevant working group.

Updates on initiatives under the Authority's action plan for marine scientific research

65. The Commission took note of the progress made by the secretariat in implementing the action plan for marine scientific research in support of the United Nations Decade of Ocean Science for Sustainable Development ([ISBA/26/A/4](#)), including the development and implementation of initiatives in areas relevant to the work of the Commission, such as long-term observation, cumulative impact assessment and deep-sea biodiversity research and related capacity-building efforts.

66. The Commission will continue to provide further advice on implementing the second phase of the global See Her Exceed programme. This will build upon the success of the pilot phase and expand its scope to additional scientific and law topics related to the work of the Authority, and implementing the See Her Exceed gender compact to promote the safe, inclusive and meaningful participation of women in at-sea activities.

Annex I

Updated list of standards and guidelines for activities in the Area

I. Existing phase 1 drafts

<i>Theme</i>	<i>Phase</i>	<i>Comment</i>	<i>Who</i>
1. Draft standard and guideline on the preparation and assessment of an application for the approval of a Plan of Work for exploitation (ISBA/27/C/3)	1	- Guidelines are well developed and could be updated/revised. - Guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally and whether a standard is needed.	Legal and Technical Commission
2. Draft standard and guidelines for the environmental impact assessment process (ISBA/27/C/4)	1	- Standard and guidelines are well developed and could be updated/revised. - Standard and guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally.	Legal and Technical Commission
3. Draft standard and guidelines for the preparation of environmental impact statements (ISBA/27/C/5)	1	- Guidelines are well developed and could be updated/revised. - Guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally.	Legal and Technical Commission
4. Draft standard and guidelines for the preparation of Environmental Management and Monitoring Plans (ISBA/27/C/6 and ISBA/27/C/6/Corr.1)	1	- Guidelines are well developed and could be updated/revised. - Guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally and whether a standard is needed.	Legal and Technical Commission
5. Draft standard and guidelines on the development and application of environmental management systems (ISBA/27/C/7)	1	- Standard and guidelines are well developed and could be updated/revised. - Standard and guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally.	Legal and Technical Commission
6. Draft standard and guidelines on the tools and techniques for hazard identification and risk assessments (ISBA/27/C/8)	1	- Guidelines are well developed and could be updated/revised. - Guidelines are with the Council to provide feedback to the Legal and	Legal and Technical Commission

<i>Theme</i>	<i>Phase</i>	<i>Comment</i>	<i>Who</i>
		Technical Commission as to the structure and content generally and whether a standard is needed.	
7. Draft standard and guidelines for the safe management and operation of mining vessels and installations (ISBA/27/C/9)	1	- Standard and guidelines are well developed and could be updated/revised. - Standard and guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally.	Legal and Technical Commission
8. Draft standard and guidelines on the form and calculation of an Environmental Performance Guarantee (ISBA/27/C/10)	1	- Standard and guidelines are well developed. - Standard and guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally.	Legal and Technical Commission
9. Draft standard and guidelines for the establishment of baseline environmental data (ISBA/27/C/11)	1	- Guidelines are well developed and could be updated/revised. - Guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally and whether a standard is needed.	Legal and Technical Commission
10. Draft standard and guidelines for the preparation and implementation of emergency response and contingency plans (ISBA/27/C/12)	1	- Standard and guidelines are well developed. - Standard and guidelines are with the Council to provide feedback to the Legal and Technical Commission as to the structure and content generally.	Legal and Technical Commission
11. Draft standard and guidelines on the development and implementation of environmental threshold values and indicators	1	Currently in initial stages of development by the Legal and Technical Commission intersessional expert group.	Legal and Technical Commission intersessional expert group

II. Other possible drafts from ISBA/30/C/CRP.5

<i>Theme</i>	<i>Phase (indicative)</i>	<i>Comment</i>	<i>Who</i>
12. Draft standard and guidelines on commercial production	2	The secretariat and an external consultant are to develop a draft.	Secretariat and Legal and Technical Commission
13. Draft standard and guidelines on the certificate of origin	3	The secretariat and an external consultant are to develop a draft.	Secretariat and Legal and Technical Commission

<i>Theme</i>	<i>Phase (indicative)</i>	<i>Comment</i>	<i>Who</i>
14. Draft standard and guidelines on test mining	2	• Linked to ISBA/25/LTC/6. Already included in environmental impact statement/environmental impact assessment drafts. • Feedback is needed from the Council, including on possible duplication with existing drafts.	Legal and Technical Commission
15. Draft standard and guidelines on the undertaking and preparation of a scoping report	2	• Possible duplication with environmental impact statement/environmental impact assessment drafts. Scoping is included already. • Feedback is needed from the Council.	Legal and Technical Commission
16. Draft standard and guidelines on handling of discovery of underwater cultural heritage	2 or 3	• The secretariat is to develop a background note (including consultation with other organizations).	Secretariat
17. Draft standard and guidelines on the handling of data and confidential information	2	• The secretariat does have expertise on the matter (data management team) and could develop a background note. • Consider merging with guideline No. 18. • Guidance is needed from the Council.	Secretariat
18. Draft guidelines for access to environmental data and information	2	• The secretariat is to develop a background note. • Consider merging with guideline No. 17. • Guidance is needed from the Council.	Secretariat
19. Draft standard and guidelines on the undertaking of joint arrangements	2	• Guidance needed from the Council, as it is a matter under consideration. Should a standard or guidelines be needed, the Enterprise would need to be involved. • The secretariat/Enterprise is to develop a background note.	Secretariat
20. Draft guidelines for procedures for stakeholder participation in activities in the Area	1	• Guidance is needed from the Council. • Consider merging with No. 41 (stakeholder consultation). • The secretariat is experienced with this and can prepare a background note based on existing practices.	Secretariat

<i>Theme</i>	<i>Phase (indicative)</i>	<i>Comment</i>	<i>Who</i>
21. Draft standard and guidelines on training obligations	2	• Guidance is needed from the Council, including on whether a standard/guidelines are needed. It could be dealt with through Legal and Technical Commission recommendations or Council decisions. • The secretariat is to prepare a background note based on existing practices.	Secretariat
22. Draft standard and guidelines on the assessment framework for mining discharges	1 or 2	• Guidance is needed from the Council as to the meaning and scope of mining discharges. • Possibly within Environmental Management and Monitoring Plans (No. 4) and/or emergency response and contingency plans (No. 10).	Secretariat/consultant
23. Draft standard and guidelines on exchange of information and studies on the potential impact of exploitation activities on the economies of developing land-based mineral producers	Not applicable	• Technical studies already exist. It is an issue that would need to be continuously considered and updated. • Role of the Economic Planning Commission (once operational). • Probably not appropriate for a standard/guidelines.	Secretariat and Legal and Technical Commission (Economic Planning Commission once operational)
24. Draft standard and guidelines on the requirements and taking out of insurance and placing of insurance risk	1 or 2	• This is an important matter that needs to be prioritized. • The secretariat is to engage an external consultant for a note/draft for consideration by the Legal and Technical Commission.	Legal and Technical Commission and secretariat
25. Draft standard and guidelines on the inspection procedures, inspection reports and the preparation of the rules and operating procedures	3	• Guidance is needed from the Council. Link to issues on inspection and compliance currently under consideration. • The secretariat could provide a background note for consideration.	Council
26. Draft guidelines for the process modifying a plan of work and or the meaning of material change	2	• This has been considered by the Legal and Technical Commission before. • The secretariat is to prepare a background note for consideration by the Legal and Technical Commission.	Secretariat
27. Draft standard and/or guidelines for the application and	2 or 3	• The secretariat is to engage an external consultant for a note/draft for	Legal and Technical Commission and secretariat

<i>Theme</i>	<i>Phase (indicative)</i>	<i>Comment</i>	<i>Who</i>
assessment for use of an exploitation contract as security		consideration by the Legal and Technical Commission.	
28. Draft standard and guidelines for protocols relating to notifiable events	2	• Guidance is needed from the Council as to the meaning and scope of notifiable events. • Possibly links to Environmental Management and Monitoring Plans (No. 4) and/or emergency response and contingency plans (No. 10). • The secretariat could prepare a background note (International Maritime Organization and existing experiences at the International Seabed Authority).	Legal and Technical Commission and secretariat
29. Draft standard and guidelines for the application and assessment on the transfer of rights and obligations under an exploitation contract	2 or 3	• The Legal and Technical Commission has already done substantive work on this, including a robust recommendation to the Council on exploration (ISBA/27/C/35). • Guidance is needed from the Council.	Legal and Technical Commission
30. Standard and guidelines for the use of remote electronic monitoring and technology	3	• Guidance is needed from the Council as to the objectives and scope. Probably a guideline. • The secretariat would need to engage an external consultant.	Secretariat
31. Draft standard and guidelines for the application of human health and safety management systems and plans	2	• Guidance is needed from the Council as there are links to existing drafts (e.g. No. 7 on the operation of mining vessels and installations). • Secretariat to carry out mapping (existing drafts and draft regulations).	Council/secretariat
32. Draft standard on the environmental compensation fund	2	• Guidance is needed from the Council as it is a matter currently under consideration.	Council
33. Draft standard and guidelines on the maritime security plan	2	• Same comment as on No. 31.	Council/secretariat
34. Draft standard on the financial terms of a contract	2	• This is complex for the Legal and Technical Commission to consider at this stage. Links to matters being considered by the Council are under negotiation.	Council

<i>Theme</i>	<i>Phase (indicative)</i>	<i>Comment</i>	<i>Who</i>
35. Draft standard and guidelines on the administration and management of payment of royalty and royalty returns	2	• This is complex for the Legal and Technical Commission to consider at this stage. Links to matters being considered by the Council are under negotiation. • Consider jointly with No. 38.	Council
36. Draft standard on the system of payments and the rates of payments	2	• This is complex for the Legal and Technical Commission to consider at this stage. Links to matters being considered by the Council are under negotiation. • Consider jointly with No. 37.	Council
37. Draft standard on the methodology for the review of rates of payments	2	• This is complex for the Legal and Technical Commission to consider at this stage. Links to matters being considered by the Council are under negotiation. • Consider jointly with No. 36.	Council
38. Draft standard on the royalty mechanism	2	• This is complex for the Legal and Technical Commission to consider at this stage. Links to matters being considered by the Council are under negotiation. • Consider jointly with No. 35.	Council
39. Draft standard on the equalization measure	2	• This is complex for the Legal and Technical Commission to consider at this stage. Links to matters being considered by the Council are under negotiation.	Council
40. Draft standard and guidelines on the establishment of the Seabed Mining Register	3	• Guidance is needed from the Council as it is a matter under consideration. • The secretariat could prepare a report and background notes. • It is unclear if a standard or guidelines are required.	Council/secretariat
41. Draft standard and guidelines for stakeholder consultation	1	• Duplication with No. 20 (see comment there).	Secretariat
42. Draft standard and guidelines for coastal States consultation	2	• This is complex for the Legal and Technical Commission to consider at this stage. Links to matters being considered by the Council are under negotiation.	Council

<i>Theme</i>	<i>Phase (indicative)</i>	<i>Comment</i>	<i>Who</i>
43. Draft standard and guidelines on the preparation of the annual report and auditing and other reporting requirements under an exploitation contract	2	• Feedback is needed from the Council. A guideline could be developed. • The secretariat could prepare a background note.	Legal and Technical Commission and secretariat
44. Draft standard and guidelines on the preparation and implementation of closure plans and post-closure monitoring and evaluation	3	• Guidance is needed from the Council as to the scope of post-closure (closure already includes post-closure monitoring). There could be possible links to Environmental Management and Monitoring Plans (No. 4).	Legal and Technical Commission and secretariat
45. Guidelines on information to be submitted upon expiration of an exploitation contract	3	• This could be developed with input from the secretariat.	Legal and Technical Commission and secretariat
46. Draft standard and/or guidelines on suspension and termination of an exploitation contract	2	• This could be developed with input from the secretariat.	Legal and Technical Commission and secretariat

Note: Additional subjects may be identified from ISBA/31/C/CRP.1/Rev.3. Guidance from the Council on these subjects would be needed for the Commission to make progress on those potential matters, including assessment of the necessity for such matters to be considered within standards and guidelines.

Annex II

Informal indicative note

Distinguishing between different Legal and Technical Commission procedures

Summary

This is an informal indicative note that will establish a distinction between three different procedures:

- **Extension procedure** (see Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (1994 Agreement), annex, sect. 1, para. 9; [ISBA/21/C/19](#); [ISBA/19/C/17](#), annex, regulation 26; and standard clauses of contracts for exploration, sect. 3.2). This procedure concerns requests for and consideration of the extension of an approved plan of work.
- **Inadequate performance procedure** (see [ISBA/29/LTC/5](#)). This procedure concerns the identification and eventually the possible naming of contractors at risk of inadequate performance with regard to their contractual obligations *stricto sensu* and is linked to contractors' annual reporting evaluation process. For each annual review cycle, the steps of the procedure set out in document [ISBA/29/LTC/5](#) start in the second part of the Commission's session and last one year. In the Chair's reports, this item is referred to as: "Identification of contractors that have responded inadequately, or failed to respond, to the calls from the Council to address issues of concern identified by the Commission in relation to their contractual obligations" and "contractors whose performance may not be fully aligned with their contractual obligations".
- **Possible non-compliance of contractors arising out of direct or indirect actions related to activities in the Area, including contractual obligations to act in accordance with the multilateral legal framework established by the Convention and the 1994 Agreement** (see [ISBA/30/C/19](#), para. 10), also known as the non-compliance *lato sensu* procedure. This procedure concerns identifying and paying specific attention to contractors at risk of non-compliance with regard to their contractual obligations *lato sensu*, especially the obligation to act in accordance with the multilateral legal framework established by the Convention and the 1994 Agreement (see clauses 13 and 27 of the standard clauses of contracts for exploration). It is not linked to contractors' annual reporting evaluation process and does not follow the same steps, since it is independent of the review cycle. In the Chair's reports, this item is referred to as: "Implementation of the Council's decision relating to a request for additional information from contractors at risk of non-compliance with their contractual obligations".

All three procedures fall within the scope of the Legal and Technical Commission's powers and functions, as stipulated by the Convention, the 1994 Agreement and International Seabed Authority regulations, notably article 165 of the Convention, paragraph 9 of section 1 of the annex to the 1994 Agreement, document [ISBA/29/LTC/5](#) and paragraph 10 of Council decision [ISBA/30/C/19](#).

However, each of the distinct and separate procedures follows its own process and criteria.

Details

Extension procedure

According to the annex to Council decision [ISBA/21/C/19](#), the Commission shall consider applications for extensions of contracts for exploration expeditiously and in the order in which they are received (para. 8) and recommend approval of the application for extension of the contract for exploration if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration but, for reasons beyond the contractor's control, has been unable to complete the necessary preparatory work for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage (para. 12) (see also [ISBA/19/C/17](#), annex, regulation 26; and sect. 3.2 of the standard clauses of contracts for exploration).

The Commission considers applications in the order of receipt and recommends approval if it considers that the contractor has made efforts in good faith to comply with the requirements of the contract for exploration in order to proceed to the exploitation stage but one the following two criteria is met: for reasons beyond the contractor's control, it has been unable to complete the necessary preparatory work for proceeding to the exploitation stage, or if the prevailing economic circumstances do not justify proceeding to the exploitation stage.

The extension consideration process and criteria have no link with either the inadequate performance procedure or the non-compliance *lato sensu* procedure.

Inadequate performance procedure

This procedure corresponds to the identification and potential naming of contractors that have responded inadequately, or failed to respond, to the calls from the Council to address issues of concern identified by the Commission in relation to their contractual obligations.

It concerns contractual obligations *stricto sensu* and is linked to the process of annual reporting by contractors. For each annual review cycle, the steps of the procedure start in the second part of the Commission's session and last one year, following three steps, as set out below.

For the history of the procedure and the applicable criteria, see document [ISBA/29/LTC/5](#).

First (step 1), during its meetings in July of year 1, the Commission assesses the contractors' fulfilment of contractual obligations in the context of the execution of their plan of work and identifies contractors at risk of inadequate performance. The Commission makes observations, comments and questions to be communicated by the Secretary-General upon conclusion of the review of the annual reports of contractors. In the case of specific concerns expressed in relation to contractors at risk of non-performance, the expectation would be for the affected contractors to provide responses to the Secretary-General before the end of year 1. The responses received by the Secretary-General are then compiled and shared with the Commission.

Second (step 2), during its meeting in March of year 2, the Commission reviews the responses and comments received from the contractors identified during step 1 to be at risk of non-performance. If the Commission considers that the responses received remain unsatisfactory, the Commission provides follow-up questions to the Secretary-General, who sends them to the affected contractors as part of step 2, meaning that they could be named in the Council at the session in July of year 2, unless they provide the required clarifications or take corrective action before that

time. An informal exchange of views with the identified contractors can be organized intersessionally if deemed necessary by the Commission.

Third (step 3), during its meeting in July of year 2, the Commission considers any further clarification provided by the contractors that remained unsatisfactory at step 2. In this second part of its session in year 2, the Commission assesses the responses received. In the event that the clarification provided or actions taken are considered at this stage to remain unsatisfactory, the Commission and the Secretary-General in their reports to the Council may decide to report the names of the contractors and the specific deficiencies identified for the Council to decide on the potential case of non-performance as reported.

Non-compliance lato sensu (arising out of direct or indirect actions related to activities in the Area, including contractual obligations to act in accordance with the multilateral legal framework established by the Convention and the 1994 Agreement)

This procedure is newly established by paragraph 10 of Council decision [ISBA/30/C/19](#). In March 2026, for the first time, the Commission, a subsidiary organ of the Council, prepared a report on the implementation of the Council's decision.

The procedure concerns identifying and paying specific attention to contractors at risk non-compliance with regard to their contractual obligations *lato sensu*, especially the obligation to act in accordance with the multilateral legal framework established by the Convention and the 1994 Agreement.

It is not linked to contractors' annual reporting process and thus the criteria set out in document [ISBA/29/LTC/5](#) for inadequate performance are not applicable. Notably, it does not follow the same steps, since it is independent of review cycle.
