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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

Draft decision of the Council of the International Seabed Authority relating to the reports of the Chair of the Legal and Technical Commission

The Council of the International Seabed Authority,

Recalling its decisions [ISBA/30/C/19](#) and [ISBA/31/C/18](#),

Expressing its appreciation for the report of the Legal and Technical Commission and its addenda contained in documents [ISBA/31/C/4](#), [ISBA/31/C/4/Add.1](#) and [ISBA/31/C/4/Add.2](#),

Acknowledging that the workload of the Commission continues to increase significantly,

Emphasizing the status of the Commission as a subsidiary organ of the Council and the importance of its independence for fulfilling its technical and advisory functions as provided for under article 165 of the United Nations Convention on the Law of the Sea,¹

1. *Takes note with appreciation* of the reports of the Chair of the Legal and Technical Commission on the work of the Commission at the first and second parts of its thirty-first session² and the report of the Secretary-General on the implementation of the decision of the Council in 2025 relating to the reports of the Chair of the Legal and Technical Commission;³

2. *Expresses its appreciation* for the continued hard work, dedication and considerable achievements of the Commission, but notes with concern that some members have not participated in the thirty-first session of the Commission, and encourages support from Member States to ensure that nominated members are provided with adequate time and resources to fully participate and engage in the work of the Commission;

¹ United Nations, *Treaty Series*, vol. 1833, No. 31363.

² [ISBA/31/C/4](#), [ISBA/31/C/4/Add.1](#) and [ISBA/31/C/4/Add.2](#).

³ [ISBA/31/C/24](#).



3. *Notes* the continuation of the review of three contractors' five-year periodic review reports and the Commission's intersessional contribution to their review;⁴

4. *Welcomes* the submission by contractors of their annual reports on activities carried out in 2025, notes that some contractors have slowed down their exploration programmes and notes with concern that some have withheld data for the stated reasons that it was confidential, protected by intellectual property rights or awaiting publication in peer-reviewed papers, and reiterates that contractors are required to report completely and in accordance with the reporting requirements of the regulations on prospecting and exploration on activities in their contract area in the reporting year in which relevant data are generated;

5. *Underlines* that all contractors that have applied for an extension of the exploration contract have referred to the absence of rules, regulations and procedures governing exploitation in the context of requests for extensions of exploration contracts, and reaffirms its commitment to continue the development of such rules, regulations and procedures, in accordance with the United Nations Convention on the Law of the Sea and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,⁵ with a view to ensuring their timely adoption;

6. *Also underlines* the trend of contractors slowing their exploration programmes, and that this slowdown has been attributed to the continued absence of a regulatory framework for exploitation;

7. *Recalls* its decisions [ISBA/27/C/44](#), [ISBA/29/C/24](#) and [ISBA/30/C/19](#), welcomes the Commission identifying and naming those contractors requiring further continued attention regarding their performance and alignment with their contractual obligations and the information provided regarding each of these contractors, agrees to consider the ongoing implementation of the criteria⁶ at its thirty-second session, and requests that any such contractors continue to be named in the annual report of the Secretary-General, while noting that some reviews may not be completed;

8. *Requests* the Secretary-General to continue the practice of communicating the various issues identified during the Commission's review of contractors' annual reports to the relevant contractors and sponsoring States, to follow up in writing with those contractors that repeatedly perform insufficiently or incompletely against an approved plan of work or that have indicated that the implementation of the plan of activities will be made conditional on external factors regardless of the applicable contractual requirements, to request meetings with them and to write to the respective sponsoring States to bring that issue to their attention and request a meeting with the sponsoring States to address it and to provide relevant information to the Council;

9. *Urges* the relevant sponsoring States to provide any information relating to non-compliance by their sponsored contractors and measures taken to ensure compliance under the contracts for exploration, in accordance with article 139 of the United Nations Convention on the Law of the Sea;

10. *Requests* the Secretary-General to continue to report to the Council on an annual basis the matters under review by the Commission concerning possible non-compliance and regulatory action in accordance with the United Nations Convention on the Law of the Sea, the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 and the

⁴ [ISBA/31/C/3/Add.1](#).

⁵ United Nations, *Treaty Series*, vol. 1836, No. 31364.

⁶ [ISBA/29/LTC/5](#).

regulations on prospecting and exploration, identified by the Commission, inter alia taking into account the results of the Secretary-General's consultations with contractors;

11. *Notes* the provisional measures orders of 18 July 2026 of the Seabed Disputes Chamber, which prescribe provisional measures pending the final decision of the Chamber;⁷

12. *Reaffirms* the importance of the ongoing inquiry into potential contractor non-compliance with their contractual obligations, including contractual obligations to act in accordance with the multilateral legal framework established by the Convention and the Agreement, while continuing to ensure due process, transparency and fairness at every stage as requested in decision [ISBA/31/C/18](#);

13. *Requests* the secretariat, in cooperation with the Commission, to prepare the initial reports requested by the Seabed Disputes Chamber on compliance with the provisional measures prescribed by the orders, and requests the Secretary-General to provide the Chamber with that report by 31 August 2026;

14. *Also requests*, in the event that the President of the Seabed Disputes Chamber requests further information from the Authority on the implementation of the provisional measures prescribed in the orders, that the secretariat, in cooperation with the Commission, prepare such information, and requests the Secretary-General to provide the Chamber with this information in due course;

15. *Requests* the Commission, no later than at the end of the first part of its thirty-second session, to clarify or provide to the contractors, under the inquiry on potential non-compliance, the relevant information concerning the procedures for the implementation of paragraphs 9 and 10 of Council decision [ISBA/30/C/19](#) and paragraph 4 of Council decision [ISBA/31/C/18](#) and the questions posed to such contractors so as to enable those contractors, engaging in a constructive manner with the Authority, to respond meaningfully to the questions posed by the Authority in the course of the inquiry, and within a reasonable period of time but no later than at the end of the second part of the thirty-second session, subject to any further decision made by the Council;

16. *Notes* that the orders provide that the parties to the disputes shall cooperate and refrain from any action that might lead to aggravating the disputes;

17. *Also notes* that the Commission, at the first and second part of its thirty-first session, considered, in order of receipt, nine applications for extension of contracts and recommended the approval of each of those applications, and affirms that its approval of applications for extension is made strictly without prejudice to the findings or recommendations that may arise from the inquiry with respect to contractors at risk of non-compliance with their contractual obligations, and does not limit, predetermine or constrain any future action by the Authority or its organs in relation to those findings;

18. *Welcomes* the training programmes and opportunities offered by contractors pursuant to their contracts for exploration with the International Seabed Authority since the twenty-ninth session and the progress being made towards achieving equitable geographical distribution, with particular attention given to the interests and needs of the least developed countries and small island developing States, as well as gender parity, through the selection of candidates for training opportunities;

⁷ See [ISBA/31/A/11](#).

19. *Also welcomes* the provision of support by the Commission to the secretariat in the dissemination of training opportunities and the conduct of intersessional work to revise the recommendations for the guidance of contractors and sponsoring States relating to training programmes under plans of work for exploration;⁸

20. *Takes note with appreciation* of the report of the Secretary-General to the Council relating to the reports of the Chair of the Legal and Technical Commission, and commends the negotiation with contractors on their capacity-building programmes pursuant to Council decision [ISBA/30/C/19](#), to include programmes covering environmental or biological aspects of deep-sea mining involving laboratory work, practical on-board training and deep-sea technology; master's programmes in the field of marine scientific research or that are relevant to the responsible exploration and management of deep-sea mineral resources; placements covering a mix of theoretical training, engineering training, dredging technologies and a law of the sea summer academy; and at-sea on-board training to various contract areas;

21. *Welcomes* the progress made by the Commission in developing binding environmental threshold values, pursuant to Council decision [ISBA/27/C/42](#), and notes that the Commission will continue its work on the report and submit, after formal stakeholder consultation, its recommendations to the Council as a priority, noting that this work will further be developed;

22. *Requests* the Commission, at the first part of its thirty-second session, to continue to develop the standards and guidelines, without prejudice to the Council's ongoing consideration of the appropriate phasing of standards and guidelines, and with the assistance of the secretariat, including technical assistance as necessary, as it relates to the allocation of relevant resources, including the engagement of external consultants, if appropriate, to prepare:

(a) An updated and consolidated version of each of the standards and guidelines identified in table I of annex I to document [ISBA/31/C/4/Add.2](#);

(b) As appropriate, drafts of those standards and guidelines identified as being of priority by the Commission in table II of annex I to document [ISBA/31/C/4/Add.2](#), which are listed as indicative phase 1;

23. *Invites* the Commission, in the course of its work on standards and guidelines, to provide in its reporting to the Council, as appropriate, any comment or suggestion on streamlining to achieve coherence between the standards and guidelines and the text of the draft regulations on exploitation of mineral resources in the Area, including the annexes and schedule, that it considers could usefully support the Council's discussions, and without prejudice to the Council's discretion to accept any such comments or suggestions;

24. *Requests* the Commission, in the course of the activities described in paragraph 22 of the present decision, to identify any key issues or questions requiring direction from the Council in respect of the draft standards and guidelines and to report its findings and any associated questions to the Council;

25. *Also requests* the Commission, in its next report and following the updates referred to in paragraph 22 (a) and (b) of the present decision, to identify an appropriate timescale for member States to provide written comments and for stakeholder consultation on those draft standards and guidelines that have been substantively updated, so far as the Commission considers that receiving such written comments at that stage would be helpful;

⁸ [ISBA/19/LTC/14/Rev.1](#).

26. *Welcomes* the progress in developing regional environmental management plans for the Area in the north-west Pacific Ocean and the Indian Ocean, and urges the Commission to complete this work as soon as reasonably possible;

27. *Requests* the Commission to provisionally apply the draft procedure and criteria for consideration of a request for the transfer of rights and obligations under a contract for exploration⁹ to its consideration of the application for the transfer of rights and obligations in relation to its polymetallic nodules exploration contract, which is expected to be submitted in advance of the first part of the thirty-second session of the Commission;

28. *Requests* the Secretary-General to prioritize the allocation of resources for data management to ensure the maintenance and continued development of DeepData in support of the Authority's obligations regarding the governance of the Area and the advancement of marine scientific research in the Area;

29. *Also requests* the Secretary-General to continue to provide necessary administrative and technical support to the Commission, at its request and in accordance with the Commission's rules of procedure, including by ensuring, in order to facilitate the efficient and effective discharge of the Commission's responsibilities:

(a) That appropriate facilities are made available to the Commission during its meetings;

(b) Prompt and transparent communication of information to the Commission, where such information impacts the work of the Commission;

(c) Open and collaborative engagement with the requests of the Commission, including requests that relate to the provision of legal services;

(d) The timely preparation and distribution of documents a week prior to Commission meetings, for the Commission's consideration;

(e) Regular consultation and coordination, as appropriate, between the Secretariat and the Commission;

30. *Invites* the Commission to provide regular updates, as appropriate, to the Council on the sustainability of its workload and its working conditions;

31. *Calls for* contributions to the voluntary trust funds to support participation in the meetings of the Authority by developing States, including in the Council, the Legal and Technical Commission and the Finance Committee, and requests the Secretary-General to continue to report on the amount available in each fund at the start and end of each reporting period, as well as a breakdown, by trust fund, of countries that have contributed and of the countries that have received support from the funds.

⁹ ISBA/27/C/35, annex I.