



**MINISTERIO  
DE RELACIONES  
EXTERIORES**



**UN-OHRLS**

# **Workshop on the Participation of LLDCs in the Regime of the Area and the Benefit-Sharing Mechanism under UNCLOS**



**13 - 15 October 2026**



**Santa Cruz de la Sierra,  
Plurinational State of Bolivia**

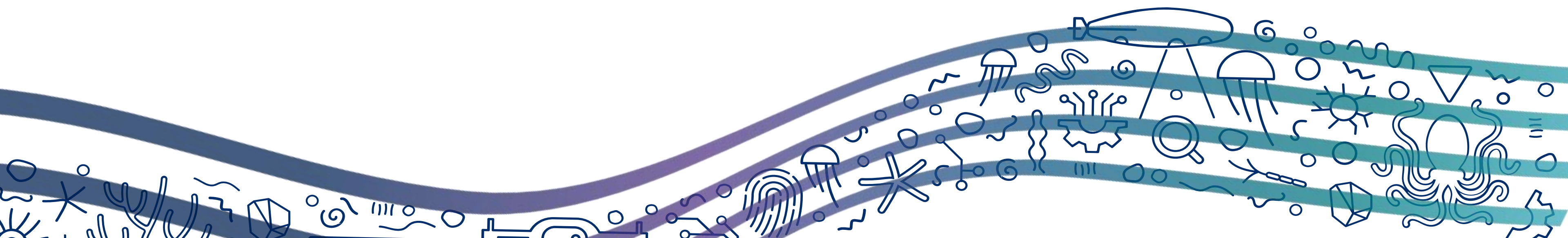




# Agenda Item 4 - Exploration in the Area: Regulation, Responsibilities and Oversight

What exploration is, how it is regulated, contract management, reporting and environmental requirements, and overview of exploration contracts

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# 1. Exploration is the operational entry point

The system turns the common-heritage regime into a controlled programme of scientific and technical work.

Exploration is the phase in which knowledge is generated, environmental baselines are developed, resources are assessed, technologies are tested and obligations are supervised before any question of commercial exploitation.

## Not ownership

A contractor receives an exclusive right to explore a defined area — not ownership of the Area or its resources.

## A regulated contractual right

Exploration is conducted under a contract, a programme of activities and continuing ISA oversight.

## A learning phase

The purpose is to understand the mineral resource and the environment, while building technical data and capacity.

This is the operational logic of the ISA regime: decisions, contract clauses, work programmes, environmental duties, data submission, reporting, review and oversight.



## 2. The life of an exploration contract

A simple lifecycle helps explain the whole system without treating each element as a separate lecture.



Each stage has a different function: approval, legal commitment, operations, environmental control, transparency, review and preparation for the next regulatory decision.



### 3. Exploration contract today: the system in practice

The lifecycle applies to a real portfolio of exploration contracts administered by ISA

#### Resource covered

- Polymetallic nodules
- Polymetallic sulphides
- Cobalt-rich ferromanganese crusts

#### Contract portfolio

- Defined areas and resources
- Multiple contracts
- Different ocean regions
- Contracts at different stages

#### Participation pathways

- Sponsoring States
- Contractors' training
- Training commitments
- Scientific cooperation
- Data and capacity building

The exploration contract portfolio shows that this is not only a legal concept. It is an operational system of contracts, areas, resources, data, environmental duties and institutional oversight.



## 4. Application and Plan of Work: entry into the system

The application stage tests whether the proposed exploration can be responsibly carried out and assessed by ISA.

### Who stands behind the applicant?

- Sponsoring State
- Applicant identity and capacity
- Financial and technical capability
- Undertaking to comply with ISA rules

### What is being proposed?

- Mineral resource and area
- Proposed programme of activities
- Work phases, methods and timetable
- Expected data and results

### How are risks addressed?

- Environmental information
- Baseline studies and monitoring
- Training commitments
- Compliance with regulations and recommendations

The Plan of Work is the operational bridge between the legal application and the practical work at sea. It converts a general intention to explore into a structured programme that can be assessed, approved and supervised.



## 5. The contract translates approval into obligations

Following approval of the Plan of Work, an exploration contract is concluded between ISA and the contractor.

### Rights

Exclusive right to explore a defined area for a defined resource, subject to the contract and ISA rules.

### Obligations

Carry out the programme of activities, protect the marine environment, report, train personnel and submit data.

### Limits

The exploration contract does not authorize exploitation. Commercial recovery requires a separate legal regime and authorization.

### Accountability

Contractor performance, sponsoring state responsibilities, reports, deadlines, compliance issues and requests for decisions are tracked.

A contract is therefore not just an authorization document. It is an ongoing regulatory relationship, contractor obligation, sponsoring state responsibilities, Secretariat management, LTC technical review and Council decision.



## 6. Exploration activities and environmental control

Operational work at sea is linked to prior notification, environmental information and continuing oversight.

### Typical exploration activities

- Geological and geophysical surveys
- Sampling and resource assessment
- Environmental baseline studies
- Technology and equipment trials
- Training and scientific cooperation

### Environmental requirements

- Baseline data collection
- Monitoring and impact prevention
- Compliance with recommendations
- Incident reporting
- Protection of the marine environment

### Operational discipline

The regime links activities, environmental data and reporting so that exploration generates knowledge and does not become unregulated experimentation.

Exploration has both a resource-development function and a scientific and environmental knowledge function. Training, data and cooperation also create practical entry points for LLDC engagement.



## 7. Reporting and oversight keep the contract alive

The contract is managed continuously, not only at the moment of approval

### Contractor report

Annual report, programme updates, environmental information, training results and technical data.

### Secretariat review

Administrative tracking, completeness check, follow-up questions, registers, deadlines and contractors engagement.

### LTC role

Technical evaluation of reports, performance, environmental matters and recommendations to the Council as required.

### Data value

Exploration data supports science, regulation, environmental management, DeepData and future institutional readiness.

Reporting is the mechanism by which exploration becomes transparent, reviewable and governable – and by which information from individual contracts supports ISA's broader knowledge base.



## 8. Periodic review, extension and transition

The end of a contract period is another regulatory decision point, not an automatic passage to exploitation

### Periodic review

The regime allows regular review of performance, progress, environmental work and implementation of obligations.

### Extension

Exploration contracts may be extended when conditions are met and when continued exploration is justified.

### Transition

Any move from exploration to exploitation requires a separate application and authorization under the applicable exploitation regulation.

For participants, the key point is that ISA's operational regime is structured around decision points, evidence, reporting and review – not automatic progression.



# Three messages to retain



## Regulated

**Exploration operates through contracts and continuing oversight.**

## Environmental

**Baseline data and monitoring are central to the system.**

## Participatory

**Training, scientific cooperation, data and capacity-building create entry points for LLDC engagement.**

**Exploration in the Area is best understood as a managed regulatory lifecycle. It begins with an application and a proposed Plan of Work, becomes a contractual relationship, continues through regulated activities, environmental obligations, reporting and oversight, and leads to further regulatory decisions based on evidence and review.**



# Thank you

