



Council

Advance Unedited Version
10 July 2026

English only

Thirty-first session

Council session, part II

Kingston, 13-24 July 2026

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. Joshua Tiwangye 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, Jamaica, 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 the status of contractors' five-year periodic reviews 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 incorporation of contractors' responses into the extension agreements, and fulfilment of relinquishment obligations by two contractors.

3. Intersessionally, within each working group, the Commission contributed to the Authority's review of three five-year periodic review reports received from the UK Seabed Resources Ltd. (UKSR I), the Cook Islands Investment Corporation (CIIC), and the Blue Minerals Jamaica Limited (BMJ), 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 from 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 ISBA/31/LTC/10.

5. The Commission commended the secretariat for developing the ISA 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 engagement of 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 also 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 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 Legal and Technical Commission on the work of the Commission at the second part of its thirtieth session (ISBA/30/C/4/Add.1, paragraph 9 (a) and (c)),

namely the Cook Islands Investment Corporation (CIIC), the UK Seabed Resources Ltd. (UKSR I) and the UK Seabed Resources Ltd. (UKSR II), 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 fourth contractor identified in the Report of the Chair of the Legal and Technical Commission on the work of the Commission at the second part of its thirtieth session (ISBA/30/C/4/Add.1, paragraph 9 (b)) is Marawa Research and Exploration Ltd. (Marawa). Marawa's situation 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, incompletely, or failed to respond to the calls from the Council to address issues identified by the Legal and Technical Commission related to their contractual obligations ("the Criteria" 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 (ISBA/31/C/4). This 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 the ongoing proceedings before the International Tribunal of the Law of the Sea (ITLOS). On the 29th of June 2026, 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 parties not to hinder any order that the Chamber may make on the requests for provisional measures. In light of this Direction, and after 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

¹ For the distinguishing between different LTC procedures, see Annex II

responses of this contractor. Following its assessment, the Commission was satisfied with the responses submitted by the remaining contractors.

13. Further, 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 step 1 of its evaluation, with a view to undertaking, in its meeting of 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 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 have reported actual expenditure significantly less than projected expenditure. This continues to be a trend from last year. In contrast, the number of contractors that reported higher expenditures than projected is less than last year. This illustrates a trend of contractors slowing their exploration programmes. Many of these contractors have attributed this slow-down to the continued absence of a regulatory framework for exploitation. Although this is not a non-performance issue for the majority of contractors, this trend needs to be brought to the attention of the Council as a general policy issue. The Commission also noted that some contractors have already asked for adjustments to their Plan of Work and/or Programme of Activities. Some of the negotiations with the secretariat on this regard are ongoing, while some 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 the contractor's 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 for publication to 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 the 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 to and the 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 of geological, technical, and environmental aspects raised in the previous reports review have been satisfactory. Most reports are structured in accordance with the reporting templates recommended by the Commission (ISBA/21/LTC/15/Rev.1). However, the Commission reminds contractors of the need to comply with all requirements included in ISBA/21/LTC/15/Rev.1, including those in section III (e.g. ship track, navigation, 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 our understanding of deep-sea ecosystems. However, many environmental studies lack an adequate explanation of how the activities relate to the contractor's plans for progressing 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. More consideration to the requirements of 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 specification 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 progress their geological, mining, metallurgical and environmental studies.

19. The Commission also noted that contractors vary widely in their progress toward finishing exploration in preparation for exploitation. While a few have advanced to testing of 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/collaborating with other contractors in the development of their mining components and the 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 obligations²

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 for exploration contract, 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 Convention and the 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 the 16th of 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 formulated in paragraph 10 of the Council Decision ISBA/30/C/19, requested additional information. Three questions from the Commission were transmitted to the two unnamed contractors, who were invited to submit written responses to the questions no later than 31 May 2026.

23. The Commission did not receive answers to its questions. Proceedings against the Authority were instituted before ITLOS. On the 29th of June 2026, 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 Disputes Chamber, calling upon parties not to hinder any order that the Chamber may make on the requests for provisional measures. In light of this Direction, and after 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 (ISBA/30/C/19, paragraph 10) and the Council's decision relating to the Report of the Legal and Technical 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, paragraph 4).

Requests from Members States of the Council

24. The Council, in its decision relating to the Report of the Legal and Technical Commission on the implementation of the Council's decision

² For the distinguishing between different LTC procedures, see Annex II

relating to a request of additional information from contractors at risk of non-compliance with their contractual obligations (ISBA/31/C/18, paragraph 7) invited “the Chair of the Commission to provide responses to the questions posed by Council Members in respect of the Commission’s 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, Tonga and Singapore, asked such questions.

25. However, these questions and additional related requests are associated, directly or indirectly, to the ongoing proceedings before ITLOS. On the 29th of June 2026, 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 parties not to hinder any order that the Chamber may make on the requests for provisional measures. In light of this Direction, and after 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 contracts³

26. During the first part of the thirty-first session, the Commission considered, in the order of receipt, six out 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 the time to review the remaining two (Federal Institute for Geosciences and Natural Resources of Germany (BGR) received on the 19th of December 2025 and Nauru Ocean Resources Inc. (NORI) received on the 19th of January 2026). Those two applications for extension, as well as a third one, China Ocean Mineral Resources Research and Development (COMRA), received on the 15th May 2026 were considered during the second part of the thirty-first session.

27. The Commission carried out its work on the consideration of extension applications at this 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 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea (“procedures and criteria” 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 aspects, the legal, financial and training aspects and the environmental aspects of the applications. In reviewing the applications, the Commission adopted a two-stage approach. First, it

³ For the distinguishing between different LTC procedures, see Annex II

considered reasons for extension and whether these were beyond the contractors' control, or 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 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea 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 to the respective contractors would be reflected in the proposed programme of activities for the extension period, giving due account to the issues raised by the Commission to each request for extension. These will 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 of the two or both 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 Article 1 (a)(i) and (ii) of the Appendix I of ISBA/21/C/19, the statement by the contractor of the grounds upon which an extension of the contract for exploration is sought shall 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 as to 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 the thirty-first session, the review of an environmental impact statement (EIS) submitted by the Federal Institute for Geosciences and Natural Resources (BGR) on 9 February 2026 for the collector testing scheduled in the third quarter of 2027. The Commission reviewed the EIS 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 these questions to BGR for their 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 per cent of the area allocated to the Federal Institute for Geoscience and Natural Resources (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 WLL (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 2026, the Secretary-General received IMB's responses, including its updated application and associated documents. Additionally, on 24 June 2026, 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, the legal opinion on the Agreement for the transfer of shares, and fundraising and engagement of the operational partner. IMB indicated that it will need some months to remedy these issues.

41. During the second part of the thirty-first session, the Commission considered this letter from IMB, and decided to defer consideration of the IMB's updated application to its meeting of 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 that had been made by the intersessional expert group (IEG) with respect to the development of environmental threshold values for toxicity, turbidity and the settling of resuspended sediments, underwater noise and light pollution. The IEG report was finalized by the IEG Co-chairs with editorial support from the secretariat during the intersessional period. The report was circulated to the members of the IEG for their review and comments from 4 May 2026 to 1 June 2026. The IEG Co-chairs prepared a revised final version of the report considering the comments of the IEG members.

43. In line with Council decision ISBA/27/C/42, the Commission will consider the IEG report and submit, after formal stakeholder consultation, its recommendations on how to progress the development of the environmental threshold values to the Council. The Commission noted that the IEG report is anticipated to be published on the website of the Authority at the start of August 2026 for a period of 90 days of stakeholder consultation.

44. The secretariat will assist the IEG Co-chairs with the consultation process in terms of compiling comments and feedback on the report. The IEG 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 IEG report and the outcomes from the stakeholder consultation process and make its recommendation to the Council during the thirty-second session in 2027.

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, paragraph 42). It has prepared a preliminary updated version of 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 as per the implementation of the regulations, once in place.

47. In addition, the Commission identified the drafts already prepared that could be subject of 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 where 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 to the present report in annex I below, which highlights 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 and guidelines, 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 roadmap may include, as a first step, receiving guidance from the Council at this session, followed by further consideration of the matter by the Commission within the relevant working group in the intersessional period, with the aim to further advance 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 additional ones.

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 (Further Revised Consolidated Text – Revision 3 (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, that would need to be adapted or improved considering 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 (REMPs). 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 REMP area, Sponsoring States, contractors, and observers. The workshop built on the results from the three previous workshops related to scientific aspects of REMP development, and focused on, inter alia, the proposed management measures and priorities for implementation under the future REMP for the Area of the north-west Pacific Ocean, in line with the standardized procedure for the development, establishment and review of REMPs (“the standardized procedure for REMPs” ISBA/30/C/21).

52. The Commission worked intersessionally within the relevant working group and during several days of both weeks of its meeting of the second part of the thirty-first session to complete the draft REMP 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 a State and stakeholder consultation, following the process as outlined in the standardized procedure for REMPs (ISBA/30/C/21, section III. F). The consultation will start from the first week of August and be open for a period of 90 days. Further details on the State and stakeholder consultation will be provided in the Notification to be issued by the secretariat.

53. An update was also provided to the Commission on progress made intersessionally with 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 REMPs, 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 REMPs and the template annexed thereto, as well as new data and information. In light of the heavy workload of the Commission in 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 roadmap 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 (DHI) as an in-kind contribution under the Letter of Cooperation between DHI and the Authority. Since its launch in 2019, this 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 the 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 multiple recommendations proposed by DHI towards a "next generation" DeepData. These should be actioned 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 as well as 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 the contractor's annual reports (see section 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 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 of prioritizing 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 2026, one contractor notified the Secretary-General of its intention to formally submit an application for a transfer of rights and obligations in relation to its polymetallic nodules exploration contract. On 8 June 2026, the contractor further informed that a formal submission to the Authority would be prepared in accordance with ISBA/27/C/35 and 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 (see 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 has 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 and 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 UNCLOS and Section 22 of the standard clauses for exploration contract.

62. During the second part of the thirty-first session, the Commission discussed this 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 to consider 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 for consideration of a request for the transfer of rights and obligations under a contract for exploration (ISBA/27/C/35, Annex I) shall 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 that impact the work of the Commission, appropriate meeting facilities, and effective communication and coordination with the professional staff of the different 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 exploitation regulations, it is not so under Regulations on Prospecting and Exploration and 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 *See Her Exceed (SHE)* Global 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 SHE 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.

Theme	Phase	Comment	Who
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 sit with Council to provide feedback to LTC as to structure and content generally and whether a standard is needed.	LTC
2. Draft standard and guidelines for the environmental impact assessment process (ISBA/27/C/4)	1	- Standard and guidelines well developed and could be updated/revised. - Standard and guidelines sit with Council to provide feedback to LTC as to structure and content generally.	LTC
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 sit with Council to provide feedback to LTC as to structure and content generally.	LTC
4. Draft standard and guidelines for the preparation of Environmental Management and Monitoring Plans (ISBA/27/C/6/ + Corr.1)	1	- Guidelines are well developed and could be updated/revised. - Guidelines sit with Council to provide feedback to LTC as to structure and content generally and whether a standard is needed.	LTC
5. Draft standard and guidelines on the development and application of environmental management systems (ISBA/27/C/7)	1	- Standard and guidelines well developed and could be updated/revised. - Standard and guidelines sit with Council to provide feedback to LTC as to structure and content generally.	LTC
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 sit with Council to provide feedback to LTC as to structure and content generally and whether a standard is needed.	LTC
7. Draft standard and guidelines for the safe management and operation of mining vessels and installations (ISBA/27/C/9)	1	- Standard and guidelines well developed and could be updated/revised. - Standard and guidelines sit with Council to provide feedback to LTC as to structure and content generally.	LTC

Theme	Phase	Comment	Who
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 sit with Council to provide feedback to LTC as to structure and content generally.	LTC
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 sit with Council to provide feedback to LTC as to structure and content generally and whether a standard is needed.	LTC
10. Draft standard and guidelines for the preparation and implementation of emergency response and contingency plans (ISBA/27/C/12)	1	- Standard and guidelines well developed. - Standard and guidelines sit with Council to provide feedback to LTC as to structure and content generally.	LTC
11. Draft standard and guidelines on the development and implementation of Environmental Threshold values and indicators	1	Currently under initial stages of development by the LTC (IEG).	LTC (IEG)

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

Theme	Phase (indicative)	Comment	Who
12. Draft standard and guidelines on commercial production	2	Secretariat and external consultant to develop a draft.	Secretariat and LTC
13. Draft standard and guidelines on the certificate of origin	3	Secretariat and external consultant to develop a draft.	Secretariat and LTC
14. Draft standard and guidelines on test mining	2	- Linked to ISBA/25/LTC/6. Already included in EIS/EIA drafts. - Need feedback from Council, including on possible duplication with existing drafts.	LTC
15. Draft standard and guidelines on the undertaking and preparation of a scoping report	2	- Possible duplication with EIA/EIS drafts. Scoping is included already. - Need feedback from Council,	LTC
16. Draft standard and guidelines on handling of discovery of underwater cultural heritage	2 or 3	Secretariat to develop 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 background note.	Secretariat

Theme	Phase (indicative)	Comment	Who
		- Consider merging with Guideline No. 18. - Need guidance from Council.	
18.Draft guidelines for access to environmental data and information	2	- Secretariat to develop background note. - Consider merging with Guideline No. 17. - Need guidance from Council.	Secretariat
19.Draft standard and guidelines on the undertaking of joint arrangements	2	- Need guidance from Council, as it is a matter under consideration. Should a standard or guideline be needed, it would need to involve the Enterprise. - Secretariat/Enterprise to develop background note.	Secretariat
20.Draft guidelines for procedures for stakeholder participation in activities in the Area	1	- Need guidance from Council. - Consider merging with No. 41 (stakeholder consultation). - Secretariat experienced with this and can prepare a background note based on existing practices.	Secretariat
21.Draft standard and guidelines on training obligations	2	- Need guidance from Council, including on whether a standard/guideline is needed. Could be dealt through LTC recommendations or Council decisions. - Secretariat 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	- Need guidance from Council as to meaning and scope of mining discharges. - Possibly within EMMP (No. 4) and/or ERCP (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	N/A	- Already technical studies. 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 S&G.	Secretariat and LTC (EPC 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. - Secretariat to engage an external consultant for a note/draft for consideration of the LTC.	LTC and Secretariat

Theme	Phase (indicative)	Comment	Who
25.Draft standard and guidelines on the inspection procedures, inspection reports and the preparation of the rules and operating procedures	3	- Needs guidance from Council. Link to issues on inspection and compliance currently under consideration. - Secretariat could provide background note for considerations.	Council
26.Draft guidelines for the process modifying a plan of work and or the meaning of material change	2	- It has been considered by the LTC before. - Secretariat to prepare a background note for consideration of the LTC.	Secretariat
27.Draft standard and/or guidelines for the application and assessment for use of an exploitation contract as security	2 or 3	Secretariat to engage an external consultant for a note/draft for consideration of the LTC.	LTC and Secretariat
28.Draft standard and guidelines for protocols relating to notifiable events	2	- Need guidance from Council as to meaning and scope of notifiable events. - Possibly links to EMMP (No. 4) and/or ERCP (No. 10). - Secretariat could prepare a background note (IMO and existing experiences at ISA).	LTC 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	- LTC already has done substantive work on this, including a robust recommendation to Council (exploration). Doc. ISBA/27/C/35 (2022). - Need guidance from Council.	LTC
30.Standard and guidelines for the use of remote electronic monitoring and technology	3	- Need guidance from Council as to objectives and scope. Probably a guideline. - 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	- Need guidance from Council as there are links to existing drafts (for example No. 7 on operation of mining vessels and installations). - Secretariat to map (existing drafts and draft regs.)	Council / Secretariat
32.Draft standard on the Environmental Compensation fund	2	Needs guidance from 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.	

Theme	Phase (indicative)	Comment	Who
			Council / Secretariat
34.Draft standard on the Financial Terms of a Contract	2	Complex for LTC to consider at this stage. Links to matters being considered by Council under negotiation.	Council
35.Draft standard and guidelines on the administration and management of payment of royalty and royalty returns	2	- Complex for LTC to consider at this stage. Links to matters being considered by Council under negotiation. - Consider jointly with No. 38.	Council
36.Draft standard on the system of payments and the rates of payments	2	- Complex for LTC to consider at this stage. Links to matters being considered by Council under negotiation. - Consider jointly with No. 37.	Council
37.Draft standard on the methodology for the Review of Rates of Payments	2	- Complex for LTC to consider at this stage. Links to matters being considered by Council under negotiation. - Consider jointly with No. 36.	Council
38.Draft standard on the royalty mechanism	2	- Complex for LTC to consider at this stage. Links to matters being considered by Council under negotiation. - Consider jointly with No. 35.	Council
39.Draft standard on the equalization measure	2	Complex for LTC to consider at this stage. Links to matters being considered by Council under negotiation.	Council
40.Draft standard and guidelines on the establishment of the Seabed Mining Register	3	- Need guidance from Council as it is a matter under consideration. - Secretariat could prepare report and background notes. - Unclear if a standard or guideline is 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	Complex for LTC to consider at this stage. Links to matters being considered by Council under negotiation.	Council
43.Draft standard and guidelines on the preparation of the annual report and auditing and	2	Need feedback from Council. A guideline could be developed.	LTC and Secretariat

Theme	Phase (indicative)	Comment	Who
other reporting requirements under an exploitation contract		Secretariat could prepare background note.	
44.Draft standard and guidelines on the preparation and implementation of closure plans and post-closure monitoring and evaluation	3	Need guidance from Council as to the scope of post-closure (closure already includes post-closure monitoring). There could be possible links to EMMP (No. 4).	LTC and Secretariat
45.Guidelines on information to be submitted upon expiration of an exploitation contract	3	Could be developed with input from Secretariat.	LTC and Secretariat
46.Draft standard and/or guidelines on suspension and termination of an exploitation contract	2	Could be developed with input from Secretariat.	LTC and Secretariat

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

Annex II

Informal indicative note

Distinguishing between different LTC procedures

Summary

This is an informal indicative note that will establish a distinction between 3 different procedures:

- *Extension procedure* (Paragraph 9 of section 1 of the Annex to the 1994 Agreement; “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 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982”, ISBA/21/C/19*; Regulation 26 “Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area and related matters” ISBA/19/C/17; section 3.2 Standard Clauses). **This procedure concerns the request and consideration for the extension of an approved plan of work.**
- *Inadequate performance procedure* (“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”, Criteria set out in document ISBA/29/LTC/5; hereafter “inadequate performance procedure”). **This procedure concerns the identification and eventually possible naming of contractors at risk of inadequate performance with regards to their contractual obligations stricto sensu and is linked to the contractor’s annual reporting evaluation process. For each annual review cycle the steps of the procedure ISBA/29/LTC/5 start in the second part of the Commissions session and last one year. In the chair’s reports this item is referred 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 Agreement* (“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 Convention and the Agreement”; Paragraph 10 of Decision of the Council of the International Seabed Authority relating to

the reports of the Chair of the Legal and Technical Commission, ISBA/30/C/19; hereafter “non-compliance *lato sensu* procedure”). **This procedure concerns the identification and payment of specific attention to contractors at risk of non-compliance with regards to their contractual obligations *lato sensu* and especially the one to act in accordance with the multilateral legal framework established by the Convention and the Agreement (standard clauses 13 and 27). It is not linked to the contractor’s annual reporting evaluation process and does not follow the same steps, since it is independent of review cycle. In the chair’s reports this item is referred 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 Commission’s powers and functions, as stipulated by the Convention, the Agreement and the ISA regulations, notably article 165 of the Convention, paragraph 9 of section 1 of the Annex to the 1994 Agreement, ISBA/29/LTC/5 and paragraph 10 of ISBA/30/C/19.

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

Details

1. Extension procedure

According to ISBA/21/C/19* “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 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982”, § 8: “The Commission shall consider applications for extensions of contracts for exploration expeditiously and *in the order in which they are received*” and according to § 12 “The Commission shall 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” (see also Regulation 26 “Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area and related matters” ISBA/19/C/17; section 3.2 Standard Clauses).

The Commission considers applications in order of receipt and shall recommend 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 that one the two criteria are 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.

2. Inadequate performance procedure (In the chair's reports this item is referred 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*")

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 the 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 Commissions session and last one year, following three steps.

For the history of the procedure and the applicable criteria see document ISBA/29/LTC/5.

The process involves three steps. 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 in risk of inadequate performance. The Commissions make 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. 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 of 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 respective 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.

3. 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 Agreement) (in the chair's reports this item is referred 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*")

This procedure is **newly established** by paragraph 10 of the Decision of the Council of the International Seabed Authority relating to the reports of the Chair of the Legal and Technical Commission ISBA/30/C/19 of July 2025. In March 2026, for the first time, the Commission, subsidiary organ of the Council, prepared a Report on the implementation of the Council's decision.

This procedure concerns the **identification and payment of specific attention to contractors at risk non-compliance with regards to their contractual obligations lato sensu and especially the one to act in accordance with the multilateral legal framework established by the Convention and the Agreement.**

It is not linked to the contractor's annual reporting process and thus the criteria set out in ISBA/29/LTC/5 for inadequate performance are not applicable. It notably does not follow the same steps, since it is independent of review cycle.