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Summary of the Thirty-first Annual Session of the International Seabed Authority (Second Part): 13–31 July 2026

The International Seabed Authority's (ISA) deliberations lack neither complexity nor controversy. The Authority's unique mandate to "organize, regulate, and control" all mineral-resource related activities in the Area (the seabed and ocean floor and the subsoil thereof, beyond the limits of national jurisdiction) "for the benefit of humankind as a whole" reveals why negotiations are so complex.

Regulating deep-sea mining, an activity never undertaken before, requires a holistic framework for protecting and preserving the marine environment as mandated by the UN Convention on the Law of the Sea (UNCLOS). Complex issues around mining contracts and contractors, plans of work, and sponsoring states; other activities in the marine environment; safety standards and emergency plans; inspection, compliance and enforcement; review and dispute settlement; royalties, fees, and profit margins; and benefit-sharing for humankind are all among the many considerations under discussion, forming an intricate puzzle.

Controversy also impacts this puzzle. The many scientific uncertainties surrounding deep-sea marine ecosystems and the risks of commercial deep-sea mining have led to an increasing number of ISA members and observers calling for a moratorium or precautionary pause until knowledge gaps are filled and truly informed decision-making is possible. As of the conclusion of Part II of the 31st annual session of the ISA, 46 countries have joined the list. In contrast, other ISA members have shown a strong interest in commercial deep-sea mining, expressing concerns over delays in the finalization of the regulatory framework.

During Council deliberations, delegates addressed technical issues in the draft exploitation regulations for commercial deep-sea mining on the basis of the third version of a consolidated text. Organizing the workload into thematic informal groups and conducting intense intersessional work proved helpful. Delegates made progress on, among other provisions, test and pilot mining, regional environmental management plans, and anti-monopolization. They also improved their understanding of effective control and underwater cultural heritage and discussed a general ISA policy on whistle-blowing.

ISA members unanimously highlighted UNCLOS as a key pillar of international law and the multilateral system, and as a cornerstone of ocean governance. They also reaffirmed their support for the ISA's exclusive mandate to regulate deep-sea mining in areas beyond national jurisdiction. That, however, did not stop discussions on requesting advisory opinions from the Seabed Disputes Chamber of the International Tribunal on the Law of the Sea on the potential legal implications of activities outside the UNCLOS framework. Furthermore, disputes between the Authority and exploration contractors' obligations regarding compliance have led to ongoing legal cases and the issuance of provisional orders by the Chamber.

The ISA Council convened for the second part of its 31st session from 13–24 July 2026, in Kingston, Jamaica, attracting more than 200 delegates and observers, including representatives from 33 of the 36 Council members. The Assembly took place from 27–31 July 2026 and was attended by more than 300 delegates and observers, including representatives from 85 ISA Member States.

A Brief History of the ISA

The 1982 UN Convention on the Law of the Sea (UNCLOS), which entered into force on 16 November 1994, sets forth the rights and obligations of states regarding the use of the ocean, its resources, and the protection of the marine and coastal environment. UNCLOS established that the Area (the seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction) and its resources are the common heritage of humankind. All Parties to UNCLOS are automatically members of the ISA, which, following recent ratifications by Kyrgyzstan and Cambodia, currently includes 172 Member States, and the European Union as well as Niue, the Cook Islands, and Palestine.

Polymetallic nodules were detected for the first time on the deep seabed by the HMS Challenger expedition in 1873. They

In this Issue

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are distributed on the surface or half-buried across the seabed, principally in the Clarion-Clipperton Zone in the Pacific Ocean. They contain nickel, copper, cobalt, and manganese, among other metals. Additional minerals have since been discovered in the Area: cobalt-rich ferromanganese crusts, which are mineral accumulations on seamounts that contain cobalt, nickel, copper, molybdenum, and rare earth elements; and polymetallic sulphides, which are formed through chemical reactions around hydrothermal vent sites, and contain copper, zinc, lead, silver, and gold.

Under the common heritage of humankind regime, UNCLOS provides that:

- no state can claim or exercise sovereignty or sovereign rights over any part of the Area or its resources;
- activities in the Area must be carried out for the benefit of humankind as a whole, irrespective of the geographical location of states, taking into particular consideration developing states' interests and needs;
- the Area and its resources are open to use exclusively for peaceful purposes by all states, whether coastal or land-locked, without discrimination; and
- financial and other economic benefits derived from activities in the Area must be equitably shared, on a non-discriminatory basis.

To address certain difficulties raised by developed countries with the UNCLOS regime for the Area, the 1994 Implementing Agreement Relating to the Implementation of UNCLOS (1994 Agreement) was adopted on 28 July 1994 and entered into force on 28 July 1996. The Agreement addresses fiscal arrangements and costs to State Parties, institutional arrangements, the ISA decision-making mechanisms, and future amendments.

The ISA is an autonomous institution established under UNCLOS Part XI and the 1994 Agreement to organize and control activities in the Area, particularly with a view to administering the resources of the Area. Among other things, the ISA is mandated to provide the necessary measures to ensure the effective protection of the marine environment from harmful effects that may arise from mining activities in the Area.

The ISA organs include the Assembly, the Council, the Finance Committee, the Legal and Technical Commission (LTC), and the Secretariat. The Assembly consists of all ISA members and has the power to:

- establish general policies;
- set the budgets of the ISA;
- approve the rules, regulations and procedures, governing prospecting, exploration, and exploitation activities in the Area, following their adoption by the Council; and
- examine annual reports by the Secretary-General on the work of the ISA, which provide an opportunity for members to comment and make relevant proposals.

The Council consists of 36 members elected by the Assembly, representing:

- State Parties that are major consumers or net importers of the commodities produced from the categories of minerals to be derived from the Area (Group A);
- State Parties that made the largest investments in preparation for, and in the conduct of, activities in the Area, either directly or through their nationals (Group B);
- State Parties that are major net exporters of the categories of minerals to be derived from the Area, including at least two developing states whose exports of such minerals have a substantial bearing upon their economies (Group C);
- Developing State Parties, representing special interests (Group D); and
- Members elected according to the principle of equitable geographical distribution in the Council as a whole (Group E).

The Council is mandated to establish specific policies in conformity with UNCLOS and the general policies set by the Assembly, and to supervise and coordinate implementation of the Area regime.

The LTC, which comprises 41 members elected by the Council, reviews applications for plans of work, supervises exploration or mining activities, assesses the environmental impact of such activities, and provides advice to the Assembly and Council on all matters relating to exploration and exploitation.

The Enterprise is the ISA's operational arm, with the aim to directly explore, exploit, transport, process, and market deep-seabed minerals on behalf of the international community.

The ISA is in the process of developing the Mining Code, which is a set of rules, regulations and procedures to regulate prospecting, exploration, and exploitation of marine minerals in the Area. To date, the ISA has issued: Regulations on Prospecting and Exploration for Polymetallic Nodules (adopted on 13 July 2000, updated on 25 July 2013); Regulations on Prospecting and Exploration for Polymetallic Sulphides (adopted on 7 May 2010); and Regulations on Prospecting and Exploration for Cobalt-Rich Ferromanganese Crusts (adopted on 27 July 2012). The process of developing the exploitation regulations is ongoing.

Recent ISA Sessions

29th Session (First Part): During the first part of the 29th session (18-29 March 2024), for the first time, the Council's deliberations were based on a consolidated text containing all the draft exploitation regulations. The Council also conducted elections to fill a vacancy on the LTC; addressed the report of the Chair of the LTC; discussed the report of the Secretary-General on cooperation with the Commission of the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention); and heard the report of the Secretary-General on incidents in the NORI-D contract area in the Clarion-Clipperton Zone in the Pacific Ocean arising from a Greenpeace protest in December 2023.

29th Session (Second Part): The second part of the 29th session (15 July – 2 August 2024) culminated in the election of Leticia Carvalho (Brazil) as ISA Secretary-General. She assumed office on 1 January 2025.

The meeting also saw the ISA Council conclude the first reading of the consolidated text. Delegates held lengthy discussions on the report of the Finance Committee, eventually forwarding the proposed ISA budget for the next biennium to the Assembly for its consideration. The Assembly ultimately adopted the budget, despite concerns by some members.

Some contentious issues emerged during the meeting, including disagreement over initiating a second periodic review of the international regime of the Area and developing a general policy for marine environmental protection, both of which lacked consensus.

30th Session (First Part): During the first part of the 30th session (17–28 March 2025), the Council commenced the second reading of the revised consolidated text. Delegates agreed to refer to prevention of "harmful effects" rather than "serious harm" to the marine environment, in accordance with UNCLOS.

Delegates also held a thematic discussion on underwater cultural heritage (UCH) as well as a high-level discussion on standards and guidelines to support the implementation of the exploitation regulations. A new working modality, called "Friends of the President" was created alongside the informal working groups already in place.

Just before the final day of the meeting, delegates learned that The Metals Company USA LLC (TMC USA) had announced their intention to initiate an application for commercial deep-sea mining under the laws of the US, a non-UNCLOS party. Responding to this announcement, Secretary-General Carvalho warned that "any unilateral action on deep-sea mining would constitute a violation of international law."

30th session (Second Part): During the second part of the 30th session (7–25 July 2025), the Council completed the second reading of the revised consolidated text. It also addressed key cross-cutting issues, including the financial regime, the inspection, compliance and enforcement mechanism, and UCH provisions. The Council agreed to continue working during the intersessional period, supported by further revisions to the consolidated text to be prepared by the Secretariat.

The Assembly continued discussions on a proposed general policy for the protection and preservation of the marine environment, with divisions persisting over the Assembly's role and the adequacy of existing legal frameworks. The Assembly also deferred consideration of the second periodic review of the international regime of the Area, despite broad support for undertaking it, due to differing views on timing. Several members maintained that the ISA should first complete the exploitation regulations before undertaking the review.

31st session (First Part): The first part of the 31st session (9-19 March 2026) of the ISA Council continued negotiations on the draft exploitation regulations based on an indicative list of outstanding issues, prepared by the Secretariat at the Council's request, and following a thematic approach of four discussion themes: environmental matters; financial matters; regulatory, procedural, and institutional matters; and governance matters.

The Council achieved progress on issues such as environmental management and monitoring and equalization measures. Other issues remained unresolved, however, including: the scope of resources to be covered by the regulations; parent company liability statements; confidentiality provisions; references to regional environmental management plans (REMPs); the rights and interests of coastal states; test mining and pilot mining, and UCH; as well as cross-cutting issues including the annexes, standards and guidelines, and the schedule, which defines the terms used in the regulations. The Council agreed on the need for structured intersessional work to advance negotiations.

ISA- 31 Council (Part II) Report

On Monday, 13 July, Council President Mayank Joshi (India) opened the session, highlighting extensive intersessional work following the first part of the 31st session in March 2026. He noted that delegates' "collective commitment enabled us to maintain the momentum and work toward finding practical solutions." He invited delegates to consolidate progress, narrow down differences, and identify areas where consensus is within reach.

President Joshi drew attention to the work of the LTC and the Finance Committee, stressing that future effective implementation of the exploitation regulations will depend "not only upon the quality of the legal text," but also on the institutional readiness, sound financial planning and arrangements, and technical expertise.

President Joshi emphasized that "this is an important stage in the development of the regulatory and institutional framework governing activities in the Area," underscoring Council members' collective responsibility and reiterating that the Council's work "rests on multilateralism, respect for UNCLOS and the 1994 Agreement and the ability of members to work through complex issues under a rules-based manner."

ISA Secretary-General Leticia Carvalho highlighted UNCLOS as "a comprehensive legal order for the sea, famously described as a constitution for the ocean," and that denoting the Area and its resources as the common heritage of humankind is "one of the boldest ideas in modern international law."

Noting that challenges to the common heritage regime have returned "with renewed urgency, shaped by growing demand for the minerals of the energy transition, by the evolving strategic priorities of states, and by wider debates about the strength of multilateral rules," she attested that "UNCLOS remains the framework, the Area and its resources remain the common heritage of humankind, and protecting the mandate of this Authority matters now more than ever."

Secretary-General Carvalho evoked the spirit of Montego Bay, Jamaica, where UNCLOS was opened for signature in 1982, stressing that "the most difficult questions about ocean governance can be answered through law, through dialogue, and through the consensus that is required by UNCLOS." She reiterated that "the deep seabed needs rules now, through a clear, effective, and internationally agreed regulatory framework," that are "science-based, implementable, and enforceable, and are supported by standards, REMPs, and robust monitoring and compliance mechanisms."

Organizational Matters

Adoption of the Agenda: On Monday, 13 July, the Council agreed on the indicative programme of work for the second part of the Council meeting based on the meeting's agenda (ISBA/31/C/1) adopted during the first part of the 31st session in March 2026.

Election to Fill a Vacancy in the LTC: On Monday, 20 July, President Joshi introduced the documents (ISBA/31/C/20 and ISBA/31/C/32). He noted that, following the resignation of LTC member Paulus Kainge (Namibia) on 23 January 2026, Aphary Muyongo (Namibia) was nominated to fill the vacant seat.

He also stated that LTC member Se-Jong Ju (Republic of Korea) communicated his resignation effective on 11 July 2026. Jonguk Kim (Republic of Korea) was nominated to fill the vacant seat.

The Council elected both.

Credentials: On Thursday, 23 July, Secretary-General Carvalho presented the credentials report, noting 32 states submitted credentials and one state submitted related information. The Council took note of the report.

Report on the Status of the Contracts for Exploration: On Monday, 20 July, President Joshi presented the report (ISBA/31/C/3/Add.1), and the Council took note of it.

Report of the Secretary-General on the Status of National Legislation: On Monday, 20 July, President Joshi presented the document (ISBA/31/C/21), and the Council took note of the report.

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 LTC: On Monday, 20 July, President Joshi presented the report (ISBA/31/C/24).

CHINA urged strengthening cooperation among Parties and fulfilling state and contractor obligations.

South Africa, for the AFRICAN GROUP, urged promoting accountability and engagement before cases rise to non-compliance, and called for more aggregated information on progress made in identifying systematic implementation challenges. BELGIUM called for investigating all legal measures to enforce rules and procedures.

GREENPEACE and the DEEP SEA CONSERVATION COALITION (DSCC) urged the Authority to suspend or terminate a contract if necessary or impose a deep-sea mining moratorium until it can. The Council took note of the report.

Report on Relinquishment of Areas Allocated Under Exploration Contracts: On Monday, 20 July, President Joshi introduced reports on the relinquishment of one-third of the area allocated to the Republic of Korea under the contract for exploration for cobalt-rich ferromanganese crusts (ISBA/31/C/30) and the relinquishment of 75% of the area allocated to the Federal Institute for Geosciences and Natural Resources under the contract for exploration for polymetallic sulphides (ISBA/31/C/31). The Council took note of the reports.

Report of the Chair of the Legal and Technical Commission

On Tuesday, 14 July, LTC Chair Sissel Eriksen presented the report on the work of the LTC during the second part of the 31st session (ISBA/31/C/4/Add.2), focusing on:

- contractors' activities;
- applications for approval of extensions of plans of work (PoW) for exploration;
- ISA regulatory activities, including environmental threshold values;
- environmental management planning, including REMPs;
- data management;
- matters referred to the LTC by the Council; and
- the development of standards and guidelines contained as an annex to the report.

Regarding contractors' activities, Eriksen drew attention to: the status of exploration contracts; the implementation of training programmes; and the consideration of contractors' annual reports, including addressing cases where contractors responded inadequately or failed to respond to issues related to their contractual obligations.

Eriksen noted that most contractors implement the PoW satisfactorily. She added that, while some have conducted excellent scientific studies, many need to better explain how their studies support future environmental impact assessments (EIAs) and the generation of baseline data.

She underscored that many contractors have reported actual expenditure significantly lower than what was projected, stressing this illustrates a trend of contractors slowing down their exploration programmes. She noted that contractors attribute this to the lack of a regulatory framework for exploitation.

Eriksen also addressed, among other things:

- the proceedings before the Seabed Disputes Chamber (the Chamber) of the International Tribunal for the Law of the Sea (ITLOS) of Nauru Ocean Resources Inc. (NORI) and Tonga Offshore Mining Limited against the ISA, with respect to the procedure followed for potential cases of non-compliance;
- positive recommendations for the extension of three exploration contracts;
- activities related to the development of environmental threshold values as well as standards and guidelines, pointing to an outcome-based approach;
- the establishment and review of REMPs;
- data management, including the continued development of the DeepData database; and
- the need to ensure adequate administrative and technical support for the LTC to tackle its increased workload.

Most members commended the updated list of **standards and guidelines** for activities in the Area prepared by the LTC and progress made in their ongoing development.

AUSTRALIA, ITALY, BRAZIL, GERMANY, and others suggested updating the work roadmap to take into consideration the updated list of standards and guidelines. CANADA noted the need to streamline and prioritize the work ahead. AUSTRALIA, SINGAPORE, and others added that further guidance from the Council is required.

South Africa, for the AFRICAN GROUP, welcomed progress and called for a clear and sequenced roadmap for future work. They noted that an outcome-based approach should not replace minimum requirements and mandatory procedural safeguards when necessary to protect the marine environment. They added that standards on inspections, reports, and remote electronic monitoring should be in place before the first application for an exploitation PoW.

NIGERIA noted that a three-phased approach remains the most useful. The NETHERLANDS suggested including an effective control standard in phase 1, to be in place prior to any PoW for exploitation is considered. Noting that many standards are interconnected, GERMANY stressed the need to develop more standards and guidelines under phase 1, highlighting that contractors need to know these standards and guidelines to develop the applications.

CHINA opined that phase 1 should not be expanded indefinitely and should include only those topics required for the preparation of the applications. TONGA said significant work remains on the development of standards and guidelines and called for greater clarity on the anticipated sequence and indicative timelines.

Eden Charles, interim Director-General of the Enterprise, noted that the outcome-based approach fosters innovation, permits integration of best available technology, and streamlines the draft regulations.

Many members welcomed progress in the development of **environmental threshold values**. The AFRICAN GROUP called for measurable, precautionary, and enforceable measures that lead to clearly defined monitoring requirements, action levels, and mandatory responses, including modification or suspension of activities, where relevant.

The PHILIPPINES highlighted that these values are prerequisites for any future exploitation and should be strictly applied in accordance with the best available scientific evidence and the precautionary principle. BRAZIL expressed concern about the insufficient science-based information available to define some environmental threshold values, noting that in such cases, the precautionary approach should guide the work.

SPAIN noted that the formal consultation process on environmental thresholds ensures transparency and legitimacy and called for flexible environmental and legal requirements to incorporate future scientific and technical progress. NAOERO stressed the need for an outcome-based approach and allocation of sufficient resources for this work. TONGA noted that threshold values should be developed on the basis of adaptive management, best available science, and transparency.

SWITZERLAND noted that considerable gaps remain on this crucial element of the regulatory framework, stressing that additional thresholds will be required. IRELAND supported focusing on toxicity, turbidity, and noise and light pollution. They suggested developing threshold values for biodiversity and habitat loss as well as for the exploitation of other resource types, highlighting that data and knowledge gaps constitute barriers to quantitative threshold values.

Interim Director-General of the Enterprise Charles said that operational predictability is paramount for the Enterprise and noted that clear values on environmental thresholds provide a level playing field.

The PHILIPPINES expressed concern over the contractors' environmental studies in **annual reports** that lack clear linkages between the baseline studies and their application to future EIAs and called for addressing the gap. POLAND noted that contractors' data enhance the understanding of deep marine ecosystems and advance science-based decision-making.

Many members supported and commended efforts in developing the ISA **Capacity-Building** Portal and welcomed continuing implementation of the second phase of the See Her Exceed (SHE) Global Programme.

Many members also highlighted training opportunities under the contractors' training programme, with the AFRICAN GROUP, INDIA, and others encouraging wider efforts to disseminate such opportunities. TONGA and others noted the need to address challenges related to the selection of candidates.

The AFRICAN GROUP called for an impact assessment on the long-term contributions and beneficiaries of capacity-building, including geographic and gender distributions, relevance to priority capacity needs, and contribution to lasting institutional capacity, knowledge transfer, and professional advancement in beneficiary countries.

FRANCE, MONACO, ARGENTINA, NORWAY, the UK, BELGIUM, MEXICO, POLAND, THE BAHAMAS, BANGLADESH, and others supported the LTC's request to ensure adequate **administrative and technical support** from the Secretariat in order to discharge its functions effectively.

SINGAPORE asked for additional information on the challenges faced by the LTC to better understand how to support the effective discharge of functions. CANADA, AUSTRALIA, and JAMAICA suggested that the LTC provide recommendations on practical measures the Council can take to support its ongoing work.

NAOERO noted that the LTC's workload will increase with exploitation activities and stressed the need to provide necessary resources. The NETHERLANDS expressed their willingness to assist in that respect.

The DEEP OCEAN STEWARDSHIP INITIATIVE (DOSI) noted that variation in sampling efforts between contractors may result in considerable gaps in baseline data, adding that data important for REMP development require similar sampling efforts. They highlighted the importance of standards and guidelines to operationalize the regulations and stressed the need for regular review of scientific and technological developments. They called for developing a code of conduct for the use of experts and procedural guidelines for workshops, stressing inclusivity, fairness, accuracy, and attribution consistent with global scientific standards.

The MAUI NUI MAKAI NETWORK underscored key uncertainties, knowledge gaps, and the need to effectively protect the marine environment, highlighting Indigenous and traditional knowledge and the need to engage with Indigenous Peoples in a respectful and time-sensitive manner.

GREENPEACE stressed that the decision on whether to extend NORI's exploration contract is a key opportunity for the Council to show it can provide a response to the pursuit of unilateral mining, adding that the Council has the right to debate and question the relevant recommendation. They warned that failure to impose any consequences can be seen as permission for companies to pursue unilateral actions.

DSCC added that the application for an exploration contract by Impossible Metals, sponsored by Bahrain, raises serious questions, and suggested rejecting such an application.

The PEW CHARITABLE TRUSTS welcomed work on standards and guidelines, noting further work is required on, among other issues, monopolization, selection of independent experts, and assessment of uncertainty. They called for evaluating whether aspects of the compliance and enforcement regime could benefit from greater clarity and stressed the fundamental importance of maintaining the credibility of the process.

The Council took note of the report.

Council members also negotiated a decision on the reports of the Chair of the LTC behind closed doors on Friday, 24 July. The decision was adopted during the closing plenary.

Final Decision: In its final decision (ISBA/31/A/L.2), the ISA Council:

- welcomes the LTC identifying and naming those contractors requiring further continued attention regarding their performance and alignment with their contractual obligations and requests that any such contractors continue to be named in the Secretary-General's annual report;
- urges relevant sponsoring states to provide information relating to non-compliance by their contractors and measures taken to ensure compliance under exploration contracts;
- requests the Secretariat to continue to report to the Council on an annual basis the matters under review by the LTC concerning possible non-compliance and regulatory action in accordance with UNCLOS;
- requests the Secretariat in cooperation with the LTC to prepare the initial reports requested by the Chamber on compliance with the provisional measures prescribed by the orders, as well as any further information requested by the Chamber, and provide the Chamber with that report by 31August 2026
- welcomes progress in developing REMPs for the Area in the North-West Pacific Ocean and the Indian Ocean and urges the LTC to complete this work as soon as reasonably possible; and
- calls for contributions to the voluntary trust funds to support participation in the meetings of the Authority by developing states.

The Council requests the LTC to:

- clarify or provide to the contractors under the inquiry on potential non-compliance the relevant information no later than at the end of Part II of the 32nd session of the ISA (ISA-32);

- requests the LTC to continue to develop the standards and guidelines;
- identify any key issues or questions requiring direction from the Council with respect to the draft standards and guidelines; and
- identify in its next report an appropriate timescale for Member States to provide written comments, and for stakeholder consultations, on those draft standards and guidelines that have been substantively updated.

The Council also requests the Secretariat to prioritize the allocation of resources for data management, to ensure the maintenance as well as continued development of the Deep Data Database, and continue providing necessary administrative and technical support to the LTC, including by ensuring:

- appropriate facilities are made available to the LTC during their meetings;
- prompt and transparent communication of information to the LTC;
- open and collaborative engagement with the requests of the LTC;
- the timely preparation and distribution of documents a week prior to LTC meetings; and
- regular consultation and coordination between the Secretariat and the LTC.

Consideration, with a View to Approval, of Applications for Extension of a Contract for Exploration

On Monday, 20 July, President Joshi invited Council members to consider three applications for extension of exploration contracts by:

- the Federal Institute for Geosciences and Natural Resources, Germany, for its exploration contract for polymetallic nodules (ISBA/31/C/25);
- Nauru Ocean Resources Inc for its exploration contract for polymetallic nodules (ISBA/31/C/26); and
- the China Ocean Mineral Resources Research and Development Association for its exploration contract for polymetallic sulphides (ISBA/31/C/27).

Many delegations favored separating Council decisions on contract extensions from consideration of contractors' compliance in the ongoing ITLOS inquiry.

NAOERO said the LTC's endorsement of NORI's extension application ensures decisions affecting contractors are based on established rules and procedures rather than on any ongoing negotiation process. TONGA welcomed the recommendation for the contracts' extension, noting it is consistent with agreed procedures.

BRAZIL and MEXICO stressed that the LTC's consideration of an extension should be done without prejudice to any ongoing Council process. BRAZIL added that the approval "constitutes no pronouncement whatsoever on contractors' compliance," and MEXICO, that the distinction between contractors' compliance and contract extension contributes to legal certainty and institutional solidity.

FRANCE, GERMANY, SPAIN, MONACO, GREECE, IRELAND, and SWITZERLAND added that the approval of the application should be without prejudice to the findings, conclusions, or recommendations that may arise from the inquiry, and does not limit, predetermine, or constrain any future actions by the ISA or its organs in relation to those findings. COSTA RICA, PANAMA, and CHILE expressed their support.

FRANCE, SPAIN, and others noted that the Authority's exclusive control over all activities in the Area means that any unilateral activities are outside international law. COSTA RICA and CHILE emphasized that the history of a contractor's compliance, including compliance with obligations in good faith, should be taken into account on decisions such as the extension, renewal, or granting of contracts.

The AFRICAN GROUP underscored that approval for contract extension should not be interpreted as a determination that the matters giving rise to the inquiry have been resolved nor as proof of non-compliance that should influence other decisions.

ITALY expressed appreciation to the LTC for its clarifications on the main elements and criteria for the extension procedure as contained in Annex II of the LTC Chair report to the Council.

The AFRICAN GROUP stressed the need to preserve the integrity of both the inquiry and the extension process. They suggested that the ISA Legal Counsel prepare a legal opinion on the implications of the order of the Chamber of ITLOS for the ISA and its organs in order to promote coherence in the ISA's institutional response and assist members in exercising their decision-making responsibilities through a better understanding of legal issues.

GREENPEACE questioned whether good faith has been upheld in fulfilling NORI's exploration PoW. They noted that data collected by NORI under its ISA exploration contract has directly informed The Metals Company USA's applications to a unilateral regulator.

The DSCC suggested that the ISA urgently review and amend its procedures, some of which were drafted decades ago in a different social, cultural, and environmental context, and fulfill its responsibility to protect the common heritage of humankind. They added that if the ISA cannot effectively regulate contractors during exploration, it is not ready to regulate commercial exploitation and emphasized that the only responsible solution is a formal moratorium on deep-sea mining.

In response to comments alluding to applications under the US Deep Seabed Hard Mineral Resources Act, the US noted that its seabed mining regulatory framework is based on strong environmental and transparency standards, and clarified that, to date, they have only announced the receipt of applications under that Act. They clarified that the Federal Register Notices published are not application approvals nor an indication of any government position on granting a license for exploration. They noted that those publications report receipt of an application that is fully compliant with the applicable information requirements of the Act and include information on a 60-day public comment period and corresponding public hearing. They welcomed input, including from the international community.

Council members adopted the draft decisions, extending the three contracts as recommended by the LTC.

Final Decisions: In three identical decisions (ISBA/31/C/L.8, ISBA/31/C/L.9, and ISBA/31/C/L.10), the ISA Council approves the application for extension of the exploration contracts and requests the Secretariat to take the necessary steps to execute the extension and report to the Council at its next session.

Report of the Interim Director-General of the Enterprise

On Monday, 20 July, Eden Charles, interim Director-General of the Enterprise, presented the report on activities related to the Enterprise (ISBA/31/C/23 – ISBA/31/A/6), including those related to:

- participation in negotiations on the draft exploitation regulations;
- the study of managerial and administrative policy options for the Enterprise;
- monitoring and review of trends in the mining industry;
- assessment of available data relating to reserved areas;

- assessment of approaches to joint venture operations;
- transfer of technology; and
- participation in conferences, meetings, and workshops.

Interim Director-General Charles highlighted a joint paper submitted with the UK during the 30th annual session on two alternative definitions of the term "contractor," aiming to ensure that the legal framework for the Enterprise is conceptually sound and commercially and operationally viable.

He drew attention to the assessment of data related to reserved areas, stressing that the Enterprise has the right of first refusal in reserved areas. He underscored that "the areas concerned in applications for mineral exploration and/or exploitation in the Clarion-Clipperton Zone, outside the legal framework of UNCLOS and the 1994 Agreement, overlap with areas reserved for the Enterprise," adding that "if the reserved areas are compromised, Ambassador Pardo and everyone codifying the common heritage of humankind "will be turning in their graves."

Charles also pointed to his participation in various conferences, meetings, and workshops for increasing the Enterprise's visibility and building bridges for future cooperation.

Many delegates highlighted the importance of the Enterprise and urged timely development of rules for its operationalization, commending the interim Director-General for his activities, particularly given limited resources.

TRINIDAD AND TOBAGO, ITALY, BANGLADESH, ANTIGUA AND BARBUDA, the DOMINICAN REPUBLIC, and others highlighted the Enterprise's managerial and administrative preparedness and the interim Director-General's role in the negotiations of the draft exploitation regulations.

CHINA stressed that adopting exploitation regulations is critical to the Enterprise's effective operation. BANGLADESH requested more information on how the outcomes of activities conducted by the interim Director-General contribute to operationalizing the Enterprise.

FRANCE noted that some measures on the operationalization of the Enterprise remain premature.

The AFRICAN GROUP, SPAIN, TRINIDAD AND TOBAGO, CHINA, BRAZIL, MONACO, ANTIGUA AND BARBUDA, the PHILIPPINES, THE BAHAMAS, and others highlighted the common heritage of humankind, with some noting that reserved areas are fundamental to its operationalization and in facilitating developing states' participation through the Enterprise.

Many delegations, including the AFRICAN GROUP, the RUSSIAN FEDERATION, CHINA, MONACO, the DOMINICAN REPUBLIC, and PANAMA, shared concerns on the overlap between **reserved areas** for the Enterprise and mining applications submitted outside of UNCLOS and the 1994 Agreement regime, which amount to approximately 80,000 km2.

MONACO opposed exploiting resources in the Area without full scientific knowledge, and, with the AFRICAN GROUP, commended the interim Director-General's analysis of **world metal market conditions**, metal prices, trends and prospects, assessment of technological evolution, and contributions to negotiations. The PHILIPPINES stressed the need to ensure that deep-sea mining does not destabilize mineral markets.

Regarding potential **joint ventures**, the RUSSIAN FEDERATION pointed out that such ventures require adherence to sound commercial principles, noting, with INDIA, that these have not been defined. MEXICO underscored that the joint venture process should proceed gradually, transparently, and in full harmony with UNCLOS Part XI (the Area).

MOROCCO urged more in-depth consideration of principles of sound commercial management and said that any concrete action on joint ventures must be accompanied by sufficient details to allow for full consideration of its environmental and other implications. The PHILIPPINES emphasized that future joint venture arrangements must prioritize genuine capacity-building, technology transfer, and direct participation of developing states.

SPAIN, TRINIDAD AND TOBAGO, the DOMINICAN REPUBLIC, and others encouraged the interim Director-General to continue identifying potential modalities for cooperation. The AFRICAN GROUP requested information on the Enterprise's engagement with potential partners and called for its tangible implementation, focusing on operational and technical capacities, with a clear roadmap for these in future reports, to identify and monitor additional needs.

GHANA emphasized the Enterprise's operations must remain independent of the Secretariat now and in the future and, with NIGERIA, urged donors to continue providing technical, financial, and capacity-building support.

The PEW CHARITABLE TRUSTS reiterated concerns about recent applications submitted outside the ISA framework and directly overlapping with reserved areas, stressing the need to safeguard the integrity of the reserved areas system to ensure the equitable participation of developing states.

Interim Director-General Charles expressed appreciation for the encouraging comments and addressed activities related to environmental protection, assessment of technological approaches, and sound commercial principles. He further discussed future joint venture arrangements and encouraged members to cooperate with the Enterprise with a view to operationalizing the principle of the common heritage of humankind.

The Council took note of the report.

General Policy on Whistle-blowing

On Friday, 17 July, President Joshi introduced the relevant document, which includes as an annex a draft general policy on whistle-blowing (ISBA/31/C/CRP.9). He noted a proposal to develop a general policy applicable to the ISA as a whole rather than embed whistle-blowing provisions solely in the exploitation regulations.

Delegates agreed that whistle-blowing is a matter of institutional governance, integrity, and accountability and would be better addressed under a general policy than in the exploitation regulations. NAORO noted that whistle-blowing mechanisms are standard practice in extractive industries and relevant international frameworks. South Africa, for the AFRICAN GROUP, and BRAZIL suggested a regulatory bridge to the draft regulations through retaining and cross-referencing regulation 101 bis (whistle-blowing procedures).

Many members, including BELGIUM, CANADA, NORWAY, MEXICO, THE BAHAMAS, the PHILIPPINES, IRELAND, and BRAZIL, supported consulting the UN Ethics Office on the feasibility, modalities, legal implications, and potential costs of establishing a cooperative arrangement relating to whistle-blowing and protection against retaliation. Some noted the need to take into account potential financial implications. The AFRICAN GROUP suggested developing an option for an independent ethics function within the ISA and addressing the budgetary and other implications of both options prior to taking a decision.

BELGIUM, supported by CANADA, stressed that the handling and review of complaints and the independent assessment of reports require in-depth discussion. GERMANY noted that, once adopted, the whistle-blowing policy should apply to all activities in the Area, including exploration activities. TONGA urged preserving confidentiality obligations and encouraging continued cooperation between the ISA and sponsoring states on promoting whistle-blowing mechanisms.

MEXICO suggested distinguishing between internal matters concerning ISA staff and administrative issues, and cases of possible contractors' non-compliance, and stressed that the policy should ensure secured reporting channels, effective protection against retaliation, and fairness for contractors, including safeguards against malicious allegations. SPAIN and THE BAHAMAS proposed clarifying the legal basis of the various jurisdictional competencies, noting that any measure should not extend into areas under national jurisdiction. The PHILIPPINES called for balance between international oversight and national sovereignty.

The AFRICAN GROUP stressed that the policy shall be implemented without prejudice to the public complaint procedure to be developed by the Council and/or the compliance committee and proposed a definition for "retaliation" as well as provisions for the policy's review.

The PEW CHARITABLE TRUSTS emphasized that whistle-blowing procedures are essential to ISA's credibility, stressing that rules on conflict of interest and independent reviews are fundamental to the regulatory framework.

President Joshi invited written submissions for further deliberation.

Report of the Finance Committee

On Thursday, 23 July, Kenneth Wong, Chair of the Finance Committee, presented the committee's report (ISBA/31/A/10-ISBA/31/C/28), containing its recommendations on financial and administrative matters from its meeting from 7 to 10 July 2026.

Chair Wong focused on:

- the implementation of the 2025 budget, noting with concern the significant amount of unspent resources for programme expenditure and stressing that, in some instances, the rule requiring the Secretariat not to exceed transfers of more than 15% between sections, subsections, and programmes may not have been adhered to;
- the status of the Working Capital Fund;
- the status of contributions and related matters, expressing concern that 49 members were in arrears for two years or more and that six of those states have not made any contribution since becoming UNCLOS Parties;
- the status of the trust funds of the ISA and related matters, expressing concern about the recurring overdraft position of the Voluntary Trust Fund to support participation of members from developing countries in LTC and Finance Committee meetings;
- other funds, stressing the need for a decision on whether to continue withdrawing USD 400,000 per year from the Endowment Fund for the Partnership Fund and requesting systematic information on the use of all funds;
- the audit report on the ISA's accounts for 2025;
- the report on standards of accommodation for air travel for 2025;
- the scale of assessments for the contributions to the ISA budget;
- the report on the process and criteria for the implementation of UNCLOS Article 184 (suspension of the exercise of voting rights) for members in arrears;
- the development of the concept of common heritage fund as one of the possible ways for distribution of income from activities in the Area;
- the proposed ISA budget for 2027–2028, noting that a revised budget proposal in the amount of USD 30,701,500 was prepared by the Secretary-General, following a request by the Finance Committee, and stressing that any post reclassification within the Secretariat requires prior approval by the Assembly;
- financial implications of establishing the Economic Planning Commission (EPC), including an indicative budget for 2027–2028;
- other matters, including new ISA members, the role and functioning of the Finance Committee, and voluntary contributions; and
- the Finance Committee's recommendations.

Members thanked the Finance Committee members for their hard work, dedication, professionalism, and comprehensive report. Many members highlighted that transparency and clear reporting are essential to maintaining confidence in ISA's financial management. JAMAICA and others highlighted the prudent execution of the 2025 budget and cost-saving measures in conference services and interpretation. BRAZIL and BELGIUM noted that the depth of the review demonstrates the importance of the Finance Committee's oversight function.

South Africa for the AFRICAN GROUP, CHINA, the RUSSIAN FEDERATION, THE BAHAMAS, INDONESIA, and others bemoaned **unspent resources** for programme expenditure in 2025 and, with NAOERO, FRANCE, and ITALY, the possible **transfers between sections** exceeding the 15% limit. ITALY underscored the importance of ensuring implementation of approved programmes.

CANADA, BRAZIL, and others noted that a decision is required on continuing the 2022–2026 practice to transfer USD 400,000 per year from the Endowment Fund to the Partnership Fund and called for transparency.

Many members, including the RUSSIAN FEDERATION, JAPAN, JAMAICA, GERMANY, SINGAPORE, INDIA, BANGLADESH, SWITZERLAND, THE BAHAMAS, expressed concerns over: members in **arrears**; cases of unauthorized **post reclassification**; **and trust funds supporting the participation** of developing country delegates in negative balance.

POLAND, CHINA, BRAZIL, AUSTRALIA, BELGIUM, and others called on Member States to pay their **outstanding obligations** as soon as possible and contribute to the voluntary funds. CHINA emphasized that, regarding members in arrears, UNCLOS stipulates that, in cases of circumstances beyond their control, states should be allowed to participate in voting, stressing the need for the equitable participation of developing countries.

JAMAICA, CANADA, THE BAHAMAS, and others underscored **proceedings initiated by former ISA staff** dismissed in January 2025 and suggested reflecting in the budget the true extent of potential ISA liabilities in a dedicated budget line. ITALY and BELGIUM emphasized provision of all possible information on both internal and external litigation. SINGAPORE also requested detailed information, including the date of commencement and current status, which can be shared without compromising the ongoing processes. The AFRICAN GROUP welcomed information on measures taken to safeguard institutional continuity.

The UK cautioned that responding to the large number of cases against the ISA draws on ISA funds whether or not the claims are found to have merit. The AFRICAN GROUP, the REPUBLIC OF KOREA, and NAOERO stated there were no legal grounds for the temporary appointments since January 2025 that had extended beyond 364 days, and, with ITALY, SPAIN, BELGIUM, and SWITZERLAND, called for implementing the requirement for Assembly approval for post reclassification.

JAMAICA stressed that the **development of the common heritage fund** must be guided by equity and sustainability, and, with COSTA RICA and BRAZIL, be without prejudice to other mechanisms for the equitable distribution of proceeds from activities in the Area. COSTA RICA lamented that their request for a separate agenda item for this had not been taken up and that discussion on alternatives was forestalled. With BRAZIL, ARGENTINA, MEXICO, INDONESIA, SWITZERLAND, and THE BAHAMAS, COSTA RICA called for studying all options and developing rules, procedures, and an efficient mechanism for equitable benefit-sharing before mining activities begin. SPAIN supported including a dedicated Council agenda item on equitable benefit-sharing.

The RUSSIAN FEDERATION, JAMAICA, the UK, CHINA, SWITZERLAND, and others supported the Finance Committee's recommendations and the **proposed updated budget** for 2027–2028. JAMAICA noted that the updated budget demonstrates prudent financial management. NORWAY expressed concerns about the significant budgetary increase, with FRANCE adding that even a 16% **budget increase** is excessive. CHINA noted that a moderate increase is understandable and called for a third annual Council meeting and for cooperation with the Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ Agreement). POLAND questioned the proposed increase in the budget for the Enterprise.

The RUSSIAN FEDERATION noted that budget increases should not become regular practice and reiterated its preference for zero nominal growth. JAPAN noted challenges in approving budget increases linked to the commencement of exploitation activities with no clear timeline. ARGENTINA and MEXICO underscored that each proposed increase should correspond to a functional need of the Secretariat, duly justified. SPAIN requested information on the relationship between each budget increase and the actual needs of the work programmes.

CANADA noted that the Finance Committee identified issues not reflected in the **auditors' review**, and, with GERMANY, FRANCE, SINGAPORE, BRAZIL, AUSTRALIA, INDONESIA, BELGIUM, SWITZERLAND, IRELAND, and others, supported exploring use of the UN system of auditors in the future.

JAPAN and JAMAICA stressed that a **single meeting is not sufficient** for the Finance Committee to carry out its mandate and, with the UK, suggested the use of webinars. INDIA, BANGLADESH and others supported the Finance Committee meeting for at least five consecutive days during a budget year. The UK underlined that regular and open Finance Committee meetings are critical to its effective functioning.

The REPUBLIC OF KOREA, NAOERO, POLAND, SINGAPORE, FRANCE, the UK, ARGENTINA, INDONESIA, IRELAND, and BELGIUM underscored the Finance Committee's concerns regarding transparency, calling for reinstatement of **virtual exchanges** between the Secretariat and the Committee prior to the latter's in-person meetings and regular Secretariat responses to its queries. MEXICO underscored that open, timely, and constructive exchange of information will strengthen trust.

JAPAN, opposed by SWITZERLAND and IRELAND, suggested initiating a discussion on financial contributions from **observers**. NAOERO stressed respect for the Finance Committee's independence.

Finance Committee Chair Wong expressed appreciation for the support shown by Council members and responded to comments, including on:

- underspending and reduction of the budget;
- the negative balance in the Voluntary Trust Fund for the participation of members from developing countries on the LTC and the Finance Committee, welcoming members' contributions and inviting civil society organizations to consider contributing;
- request for litigation scenarios, including a separate budget line for litigation costs;
- the independent consultant's report on the common heritage fund and the methodology for direct distribution, drawing attention to ISA Technical Study 31; and
- the budget line on Enterprise indirect support costs.

Chair Wong stressed the usefulness of holding, in addition to in-person meetings, webinars throughout the year to deal with major issues and underscored the need for trust and full cooperation for the Committee to discharge the full scope of its mandate.

ISA Secretary-General Carvalho underscored the Secretariat's continued commitment to delivering the work entrusted to them and to keep strengthening ISA's capacity to identify and manage areas of particular environmental interest following a precautionary approach. She assured Council members that during the 2025–2026 biennium no established post was reclassified without the approval of the Assembly or in any manner contrary to the legal framework; and that no transfer between sections, subsections and programmes exceeding the 15% limit took place, drawing attention to the independent auditors' report for 2025.

The Council took note of the report of the Finance Committee.

Operationalization of the Economic Planning Commission

On Monday, 20 July, the Council discussed the draft decision on the election mechanisms of the Economic Planning Commission (EPC, ISBA/31/C/CRP.6).

Several delegations supported the draft as a basis for further deliberations, with many stressing the relevance of assessing the potential impact of deep-sea mining on the economies of developing states' land-based producers and establishing and managing the economic assistance fund.

Argentina, for the LATIN AMERICAN AND CARIBBEAN GROUP (GRULAC), called for ensuring clarity of functions and avoiding duplication between ISA organs when operationalizing the EPC.

SPAIN, the RUSSIAN FEDERATION, and others noted that the EPC should be established before the first exploitation PoW is considered. CHINA called for aligning the establishment of the EPC and the adoption of the exploitation regulations.

On membership, the RUSSIAN FEDERATION and South Africa, for the AFRICAN GROUP, welcomed the provision on equitable geographical distribution and representation of special interests.

CHINA and the AFRICAN GROUP underscored that the Council could decide whether to increase the number of EPC members.

OCEANS NORTH drew the Council's attention to an economic report that models the potential impact on land-based producers. They highlighted that "in a peak production year of deep-seabed mining, there could be terrestrial losses of USD 1.9 billion, which far exceeds potential ISA revenue for the same year."

Pointing to the assumption that there will be sufficient sources of funds to finance the economic assistance fund, the PEW CHARITABLE TRUSTS noted that the same study suggests that "any potential quotient of income to the ISA will be less than the losses to developing countries."

The MAUI NUI MAKAI NETWORK and others encouraged the Council to consider recognizing and including Indigenous and traditional knowledge alongside the other forms of expertise identified in the draft.

President Joshi invited delegations to continue informal deliberations.

Following a last round of closed-door, informal discussions on Friday, 24 July, Council members were not able to reach consensus on the decision on the election mechanisms for the operationalization of the EPC, as contained in the draft decision. Argentina, as facilitator of the informal deliberations, suggested resuming the discussion during the first week of Part I of ISA-32.

CANADA, AUSTRALIA, SINGAPORE, and INDIA stressed the importance of prioritizing discussions on this issue at the next Council meeting.

South Africa, for the AFRICAN GROUP, expressed "profound regret that the Council once again deferred consideration of the election of the members of the EPC." They emphasized that the EPC is an essential component of the institutional architecture established under UNCLOS and the 1994 Agreement. They strongly urged the Council to place the matter on the agenda for Part I of ISA-32, allocate sufficient time for its substantive consideration, and commit to finalizing and adopting a decision at that session.

Council President Joshi noted that this session's experience is a lesson learned and invited delegates to continue consultations intersessionally.

Recommendations of the Finance Committee on the Operationalization of the EPC: On Thursday, 23 July, President Joshi noted that the Finance Committee considered the report of the Secretary-General on the financial implications of establishing the EPC (ISBA/31/FC/6). He drew attention to the Finance Committee's understanding that the implementation timeline and staffing costs would be subject to the Council's decisions on the EPC's operationalization, and to its recommendation that the indicative implementation timeline be presented in relative terms, without reference to specific calendar years. The report of the Finance Committee on the operationalization of the EPC is contained in Annex II of the Finance Committee's report (ISBA/31/A/10-ISBA/31/C/28).

PANAMA emphasized that without the EPC the rights of developing states are not fully respected. and suggested specifying when the elections for EPC's membership will take place.

The Council took note of the recommendations of the Finance Committee, as contained in Annex II of the Finance Committee's report.

Budget and Scale of Assessed Contributions

On Thursday, 23 July, President Joshi introduced the proposed ISA budget for the financial period 2027–2028 (ISBA/31/A/4 – ISBA/31/C/22), the draft decision of the Council relating to financial and budgetary matters (ISBA/31/C/L.11), and the scale of assessments for contributions to the budget.

POLAND expressed concern over the budget increase. FRANCE, GERMANY, ITALY, CANADA, the UK, CHILE, TRINIDAD AND TOBAGO, and COSTA RICA pointed to submissions of textual amendments, which were not reflected in the draft decision. COSTA RICA, AUSTRALIA, BRAZIL, NORWAY, and MEXICO, opposed by JAPAN, suggested deleting a provision on considering contributions from observers. BRAZIL, COSTA RICA, ARGENTINA, MEXICO, and CHILE suggested working on alternatives regarding the equitable distribution mechanism.

On the draft decision, JAPAN, opposed by South Africa for the AFRICAN GROUP and others, reiterated their request that the Finance Committee consider the issue of voluntary financial contributions by observers. CANADA, with TRINIDAD AND TOBAGO, proposed a compromise encouraging observers, civil society organizations, and other stakeholders to consider providing voluntary funding to, among other things, support the costs of the reporting mentioned in the Finance Committee's report. CHINA reserved its position, saying this introduced a new topic. INDIA specified that such funding be limited to covering only the reporting.

In a paragraph requesting that the Committee continue its work on the equitable distribution mechanism, CANADA, ARGENTINA, COSTA RICA, and others proposed requesting a presentation to the Council on the different options studied for further consideration at its 32nd session in 2027. CANADA and ARGENTINA also proposed deleting reference to "guidance, in this regard, on the basis of the draft financial regulation of the 29th session (ISBA/29/FC/2)." As an alternative, South Africa, for the AFRICAN GROUP, and CHINA suggested requesting the Finance Committee to develop rules, regulations, and procedures on the equitable sharing of financial and other economic benefits derived from the activities in the Area and submit concrete recommendations for the Council and the Assembly to consider in accordance with their mandates.

SINGAPORE urged the Secretariat to provide more information in future budget proposals and provide the necessary administrative and technical support to the Committee to allow it to do its work. They also suggested adding "consultancies" to the list of temporary appointments and assignments to be submitted to the Finance Committee before every meeting.

CHINA suggested reflecting that the 1994 Agreement says the Finance Committee is competent for "making recommendations on" all financial matters and reiterating that no post reclassification be implemented without prior approval of the Assembly, "taking into account" the recommendations of the Committee, whether on a permanent or temporary basis. Regarding the possibility of engaging the UN system of auditors in the future, BRAZIL and FRANCE proposed amendments to the operative paragraphs to clarify how the Assembly would explore this possibility.

The AFRICAN GROUP, IRELAND, MEXICO, BRAZIL, BANGLADESH, GREECE, CHILE, FRANCE, INDIA, and others suggested deleting the provision on observers' contributions. JAPAN proposed clarifying that such contributions would be voluntary. IRELAND stressed that even considering contributions from observers, whether voluntary or mandatory, would set a very negative precedent for a UN-affiliated organization. JAPAN responded that such a precedent exists under the UN Treaty on the Prohibition of Nuclear Weapons.

BRAZIL suggested as a compromise encouraging "states, civil society organization, and other stakeholders to consider providing voluntary contributions and funding to, among other things, support the costs of the reporting referred to in paragraph 51 of the report of the Finance Committee," which points to independent, credible, and transparent reporting.

SINGAPORE proposed a provision requesting that the Secretariat "submit to the Finance Committee and the Assembly, four weeks before every meeting of the Finance Committee, an up-to-date table of staff litigation and other legal proceedings that provides, with respect to each set of proceedings, details of the amounts claimed against the Authority and the status of the proceedings." They also suggested, supported by CANADA, that the Secretary-General provide the Finance Committee access to the auditors at least two weeks prior to the Committee's meeting.

Final Decision: The Council adopted a decision relating to the ISA budget for the period 2027–2028 (ISBA/31/C/33) and a decision concerning a process and criteria for the implementation of UNCLOS Article 184 (Suspension of the exercise of voting rights), which is contained as Annex I to the Finance Committee's report (ISBA/31/A/10-ISBA/31/C/28). Both decisions were forwarded to the ISA Assembly for final approval and adoption. They are summarized under the relevant section of the Assembly's report.

Consideration, with a View to Adoption, of the Draft Regulations on Exploitation

The Council held discussions on the draft exploitation regulations for deep-sea mining over the course of the two-week session. Delegates held thematic discussions on the basis of intersessional work in informal working groups (IWGs) and Friends of the President (FoP) groups. They also discussed parts of the regulatory text not addressed by an informal group, as well as the annexes and Schedule (glossary).

On Monday, 13 July, President Joshi introduced the third revision of the consolidated text (ISBA/31/C/CRP.1/Rev.3) of the draft exploitation regulations. He noted it represented the progress achieved in Part I of the 31st session and the outputs of the intersessional work and would constitute the basis for the session's deliberations.

He also introduced the updated draft indicative list of outstanding issues (ISBA/31/C/CRP.7), highlighting the continued use of the thematic approach organized by:

- environmental matters;
- financial matters;
- regulatory, procedural, and institutional matters; and
- governance matters.

In general remarks, CHINA underscored that "since the first day, the ISA is upholding multilateralism and protecting the common heritage of humankind," and that pursuing unilateral exploitation plans undermines the ISA. They added that agreement on the exploitation regulations is the most effective response to unilateralism, calling on all delegates to cooperate in good faith, focus on key issues, and promote the application of the principles of just and equitable global governance.

GERMANY expressed appreciation that the updated list of outstanding issues had been expanded to cover issues that still need attention such as the benefit-sharing mechanism. They underscored the need for a comprehensive list including EIAs, environmental externalities, contracting fees, and dispute settlement, also calling for scheduling deliberations on the standards and guidelines.

FRANCE reaffirmed the importance of multilateralism and the exclusive role of the ISA. They reiterated that before any exploitation activity takes place in the Area, "environmental impact studies must be carried out, risks must be understood, and appropriate rules and regulations need to be set up in accordance with best scientific knowledge and the precautionary approach."

SPAIN said the adoption by consensus of a solid regulatory framework that provides legal certainty for activities in the Area will strengthen multilateralism and the central role of the ISA, underscoring the need to ensure the protection and preservation of the marine environment.

MONACO stressed that guaranteeing the effective protection of the marine environment is "at the heart of our mandate, not a secondary requirement." They said the exploitation regulations are not yet ready for adoption and require in-depth negotiations based on international law and scientific rigor toward providing a solid, balanced framework guaranteeing the highest standards of environmental protection.

ITALY highlighted progress in intersessional work on outstanding issues, noting that the updated list offers a useful structure to facilitate further discussions.

Expressing general satisfaction with the updated list of outstanding issues, BRAZIL stressed its "indicative" nature, noting other topics, such as training and technology transfer, that should also be included. They added that further input may be needed on issues such as the equalization measure, environmental externalities and the benefit-sharing mechanism.

ARGENTINA expressed appreciation for the intersessional work and highlighted discussions on standards and guidelines.

The UK welcomed progress and noted that a lot of work remains to finalize the Mining Code. They called for adding stakeholder consultations and liability to the list of outstanding issues, agreeing that some issues no longer considered outstanding still require significant work.

The US expressed its continued support for the development of an ISA regulatory regime and underscored its participation in technical and regulatory developments.

Eden Charles, interim Director-General of the Enterprise, noted that the treatment of the Enterprise is now included among the issues that are no longer considered outstanding because during Part I of the 31st Session many delegations supported one of the alternative draft definitions and relevant provisions with regard to how the Enterprise will be treated in the draft regulations.

The PEW CHARITABLE TRUSTS noted that some issues requiring discussion are missing from the updated list, while some, such as the equalization measure and the Enterprise, are listed as no longer outstanding.

The DSCC emphasized that the Mining Code "remains fundamentally unfit for adoption," noting that the updated indicative list of outstanding issues confirms the numerous remaining challenges as well as broader governance questions. They expressed concern that the list underestimates the scope and complexity of some of the issues at hand, and queried the feasibility of a three-phased approach for the standards' development and adoption. They emphasized that scientific evidence for precaution continues to grow and stressed that the ISA must ensure that international law is fully respected, resist pressure to expedite the adoption of the Mining Code, and establish a moratorium on deep-sea mining.

President Joshi noted that all suggestions will be incorporated in future work.

Negotiations on the Draft Consolidated Text: On Monday, 13 July, President Joshi invited delegates to discuss draft exploitation regulations not addressed during Part I in March 2026 and not covered by intersessional informal groups, starting with regulations under the section on inspections.

On **regulation 97 bis** (inspectors' functions and responsibilities), a delegation suggested renaming the regulation "inspector's code of conduct." Several members supported streamlining the regulation and moving some provisions to a separate inspector's code of conduct.

Many delegates supported moving a reference on reports to draft regulation 100 (inspection reports). One delegation suggested placing it under draft regulation 98 (inspector's powers). Many suggested deleting "so far as possible" in the context of risk avoidance at sea, noting that the protection of life is a priority. A few supported referring to "safety" instead of "safe" operations, while others favored "safe," pointing to its broader scope.

Several members supported keeping a reference to confidential information treatment, with a few suggesting having separate paragraphs addressing confidentiality and cases of conflict of interest. A participant stressed that confidentiality issues should be legally binding and noted that a code of conduct should include administrative procedures and reporting matters.

Delegates made various textual, streamlining, and structural suggestions regarding **regulation 98** (inspectors' powers). Some emphasized the need to distinguish between functions of enforcement and inspection and others, to clarify that inspections pertain to "activities under the exploitation contract."

Further discussion will be needed on, among other things: whether inspection of machinery or equipment should be performed "without interfering with the production and operation of the contractor"; people that are "deemed relevant" with regard to inspections; and whether offices or premises should be included in the inspections, with some noting that these are on land and fall under a state's jurisdiction.

On cases where an instruction, namely a regulatory compliance order given by an inspector, requires the suspension of an activity, under **regulation 99** (inspectors' power to issue instructions), some delegations requested clarification, including on the distinction between suspensions established by the Council following an LTC recommendation and those imposed by inspectors. Regarding oral instructions, a delegation supported that they can be issued "in urgent situations where the issue of a written instruction" is impracticable; another suggested adding that written confirmation of an oral instruction should be provided no later than 24 hours after the oral instruction.

Several delegations requested clarification on instructions regarding "structural modifications or repairs," with some noting that the compliance committee should address such instructions. Some members supported relocating the paragraphs concerning the compliance committee. The Netherlands volunteered to facilitate a FoP group on the matter.

Discussions on **regulation 100** (inspection reports) focused on:

- routine and urgent inspections, the relevant timelines, and the need for consistent terminology;
- the chain of transmission of inspection reports, with a regional group suggesting that the chief inspector send the report to the compliance committee, which will forward it to the Council, ending ultimately with the Secretary-General, who shall send a copy to the contractor, sponsoring state, and relevant adjacent or flag states;
- whether "all stakeholders" may provide comments on the findings of an inspection report;
- the opportunity to seek clarifications on the inspection reports to ensure administrative fairness; and
- the need to harmonize references to coastal states across the draft regulations.

On **regulation 101** (complaints relating to inspections), some delegations supported an alternative formulation addressing the relevant process of complaints. Several delegations expressed reservations regarding the creation of an ombudsperson or any independent mechanism. A member noted that such functions can be carried out by existing organs, such as the Council.

A delegation cautioned that the scope of the regulation has expanded since its original intention and called for a revision. A member proposed adding a reasonable time limit after the inspection to present complaints. Some delegations supported that the Council "shall," rather than "can," review the complaint report.

An observer suggested putting a broad procedure in place for complaints, in which case this regulation should be subsumed into regulation 95 ter (public complaint).

FoP Group on Submarine Cable Protection: On Wednesday, 15 July, Singapore, facilitator of the FoP group on the protection of submarine cables, steered the Council discussion on regulation 31 (accommodation of activities in the Area and in the marine environment) and regulation 31 bis (reducing risk of damage to submarine cables and pipelines), using guiding questions.

Many delegations agreed that **regulation 31** strikes a suitable balance between the roles of contractors and the ISA regarding information about other uses or activities in the marine environment. Some members continued to have reservations about the ISA's role, particularly in gathering such information, which would require handling a substantial volume of commercially sensitive information and allocating significant resources.

Several members supported that the ISA can "facilitate the exchange of information" rather than "acquire" it. Some stated that the Authority "shall" rather than "may" cooperate regarding information on other activities in the marine environment. Others supported "may," with a member pointing out that the ISA does not control cooperation with third Parties.

A delegation proposed an additional provision on the role of states involved in relevant EIAs for activities that could impact a contract area, which would require them to notify the ISA and to communicate any opportunities for public consultation.

The International Cable Protection Committee (ICPC) noted that the provisions for the accommodation of activities in the Area (regulation 31) can conflict with those aimed at reducing the risk of damage to submarine cables and pipelines (regulation 31 bis). They supported the ISA use of public and available data on activities in the Area but cautioned against creating a new database without sufficient capabilities or resources to keep it updated, adding it could become a cyberattack target.

Delegates expressed divergent views on whether the contractor shall take "all necessary" or "reasonable" measures to reduce the risks of damage arising from its activities in the contract area in **regulation 31 bis**. Some supported "all necessary," underscoring the status of submarine cables and pipelines as critical infrastructure. Others preferred "reasonable," noting it is linked to the "reasonable regard" obligation. A few members recommended "necessary" measures as a good compromise between the lower threshold of "reasonable measures" and the potentially impractical standard of "all necessary" measures.

The ICPC stressed that "all necessary measures" should be taken but expressed flexibility on condition that other relevant provisions are sufficiently specific.

Singapore, as the group's facilitator, invited written submissions on the remaining guiding questions.

FoP Group on the Review of the Regulations: On Wednesday, 15 July, Belgium, facilitator of the FoP group, introduced the discussion, inviting delegates to focus on **regulation 107** (review of these regulations) and on a draft textual proposal.

Members held divergent views between two alternative options for introducing the review. Some delegates preferred one standalone paragraph addressing the undertaking of a comprehensive review. Others supported the alternative structure consisting of three paragraphs containing the review scope, timing, and periodicity. One delegation underscored that the Council may undertake a review of any aspect of the regulations "at any time it deems necessary."

Delegates could not reach consensus on whether the first review shall take place five years following the conclusion of the first exploitation contract or five years after the first date of commencement of commercial production.

Further discussion will also be required on a provision noting that the review should, in any case, take place "no later than ten years after the adoption of these regulations by the Council," with a regional group requesting clarification on the rationale for setting a 10-year maximum interval. A participant emphasized that the maximum interval ensures that there is no indefinite regulatory stagnation that could impede progress.

A delegate requested reinstating a provision on public consultation and participation in the review process.

Belgium, as the group's facilitator, noted that suggestions will be reflected in a new draft for further consideration by the FoP.

FoP Group on the Review of the System and Rates of Payment: On Thursday, 16 July, Canada, facilitator of the FoP group on regulation 81 (review of the system of payments) and regulation 82 (review of the rates of payments), presented the outcome of intersessional work. He focused on: the general principles set out in UNCLOS and the 1994 Agreement; key mechanics of the review of the payment system using illustrative examples; and key outstanding issues.

On the review of the system of payments (**regulation 81**), delegates addressed two alternative definitions, with most expressing flexibility on the way forward. They discussed, among other things, whether the review should include the methodologies used to calculate environmental externalities. They also addressed whether a change to the system of payments shall only apply to contract areas that have already commenced commercial production or to all existing contracts.

On **regulation 82**, several delegates stressed the importance of providing contractors with predictability and certainty on the review of payment rates. Council members supported developing a standard for reviewing payment rates, as well as including the definition of "rates of payment" in the Schedule.

A couple of delegates suggested including a reference to reviewing the payment rates in accordance with the principles in Article 13 (financial terms of contracts) of Annex III (Basic conditions of prospecting, exploration, and exploitation) of UNCLOS and Section 8 (financial terms of contracts) of the Annex to the 1994 Agreement.

An observer organization, recalling that deep-sea ecosystems move on extremely long timescales and the impossibility of putting a monetary value on the environmental destruction of ecosystems without comprehensive scientific understanding, stressed that "there is no way royalties and profit sharing can be paid to compensate for the loss of ecosystems that will never recover in the lifetime of humanity."

FoP Group on Monopolization: On Thursday, 16 July, the Council addressed provisions related to monopolization, guided by Trinidad and Tobago, facilitator of the FoP group, based on a briefing note on intersessional work.

Delegations expressed support for general provisions on monopolization, suggesting keeping detailed requirements in the standards and guidelines. Some delegations noted that such standards should be included in the phase 1 list to be developed by the LTC, saying that should be in place before the first application for commercial deep-sea mining.

A delegation noted monopolization should be addressed separately for every type of resource, and another stressed that monopolization can also occur among contractors and subsidiaries, not only among states.

Delegates supported including a general provision against monopolization in **regulation 13** (assessment of applicants and applications) and keeping detailed requirements in the standards and guidelines.

Some requested clarification on terms such as "associated arrangements," "controlled by the applicant," and "concentration of control." A delegation queried whether the proposed general provision on anti-monopolization is consistent with Annex III of UNCLOS (Basic conditions of prospecting, exploration, and exploitation).

A delegation requested clarification on the information applicants must provide for the LTC assessment regarding monopolization. A regional group suggested that the LTC assess both direct and indirect concentration of control.

Regarding **regulation 15** (LTC's recommendation for the approval or disapproval of a PoW), delegates expressed differing preferences between two alternative drafts of a provision against monopolization, with some showing flexibility.

An observer organization suggested that the ISA's definition of monopolization should take into account: the volume of mineral produced; the area, size, location, or number of contracts for activities in the Area; and any other arrangements that allow a single state/entity/person to exercise disproportionate influence over the first two aforementioned parameters.

Council members also addressed **regulation 24** (change of control) and **regulation 24 bis** (change of nationality), with one delegate suggesting linking potential termination of a contract to a Council decision rather than following an automatic procedure.

IWG on REMPs: Delegates focused on REMPs on Friday, 17 July, guided by the Netherlands, facilitator of the IWG, based on a note for discussion.

The Netherlands noted that the group engaged in a legal scrub of the relevant provisions to ensure consistency throughout the text of the draft regulations. Discussions focused on **regulations 44** (general obligations) and **44 bis** (REMPs), with delegates addressing guiding questions on:

- whether to retain a reference to the Council's adopted standardized procedure and template for the development, establishment, and review of REMPs;
- whether a PoW should be considered if the applicable REMP is under review;
- the prioritization of ISA work if a PoW is submitted where no applicable REMP exists; and
- whether a review of a PoW might be necessary if the applicable REMP has been amended following a review.

Delegates agreed that a PoW should only be considered if a REMP has been adopted for the particular area and type of resource. They expressed divergent views on reference to the standardized procedure and template. Many supported the reference, stressing that it is a robust approach ensuring that any PoW is based on up-to-date data and scientific information, ensures consistency across regions and resource type, and future-proofs the regulations.

A participant underscored that the standardized procedure establishes uniform, transparent, and non-discriminatory rules for REMP development. Others did not consider the reference necessary, noting challenges in relation to the validity of existing REMPs as well as in terms of institutional consistency and fairness.

Some delegates stated that a PoW should not be considered if the applicable REMP is under review. Others opined that the review of a REMP should not be a hindrance for the consideration of a new application for a PoW, underscoring that any PoW should be considered and potentially approved based on an existing REMP.

A regional group emphasized that a REMP remains in force when under review and should continue to guide consideration of applications. A delegation called for clear timeframes for REMP development and suggested reinstating a provision that a PoW should be considered by the ISA two years after its submission if a REMP is not developed during that period.

Many delegates supported the ISA prioritizing the development and adoption of a REMP for areas where a PoW is submitted in the absence of a REMP. A regional group emphasized that the development of new REMPs should be prioritized over the review of existing ones. A few delegates underscored that prioritization should not lead to rushed decisions, underscoring the importance of public consultation as a key part of the process.

A few members supported reviewing a PoW if the applicable REMP has been amended following a review. Others called for a case-by-case examination, noting that whether a PoW should be reviewed depends on the nature of the amendments of a reviewed REMP, adding that minor amendments should not automatically trigger a review. A delegate added that if a contractor is awarded a contract for an area that is later covered by a REMP, the contract should not be void. Another emphasized that all PoWs approved for the same region should be consistent with a similar version of the applicable REMP.

Observers called for avoiding any arbitrary deadlines that could compromise REMPs' quality and effectiveness and allow for harm to the marine environment, stressing that in the absence of a REMP, "there must be no application in the first place."

They supported references to the standardized procedure and template to reiterate the procedure's mandatory nature, increase regulatory coherence and readability across instruments, and ensure fairness among contractors. They also invited the Council to consider whether exploration regulations should be amended to reflect some of the objectives and protections provided by REMPs.

IWG on Environmental Management and Monitoring: Council members discussed environmental management and monitoring regulations on Friday, 17 July, focusing in particular on additional provisions proposed by Germany and guiding questions prepared by Norway, facilitator of the IWG.

Germany's proposal included provisions for independent experts monitoring the effects of activities in the Area for at least the early phase of activities under the Authority's control in addition to the contractor's monitoring programme, and for monitoring data to be transmitted immediately where feasible and directly to the ISA, without contractor intervention wherever possible.

Council members' views diverged. Several delegates requested clarification on independent expert monitoring, including whether experts would collect data themselves or review contractors' data, cautioning against creating duplicative mechanisms. A few delegations opposed the proposal, questioning its added value. Others supported it, noting that contractor-based data should not be the only data source.

Some delegations noted technical and operational difficulties with real-time data transmission. A member and an observer called for a detailed analysis on the matter.

Regarding the guiding questions, some delegates supported the view that the environmental management and monitoring plan (EMMP) should include only environmental impacts and effects, while others preferred a broader approach that also covers associated impacts and effects, such as socio-economic, cultural, human health, and transboundary. A delegation highlighted the need to align with the provisions of the BBNJ Agreement.

Different views were expressed on the utility of a common term for all binding documents. Most delegates agreed that the EMMP should explicitly monitor and manage cumulative impacts. Many noted that a definition of environmental risks would be useful and called for its development.

Most delegates agreed that the end of the contract period and the end of the closure plan do not coincide. A member stated that these are legally distinct and may occur at different points in time. Another stressed that the closure period begins when the contract period ends. Some members supported contractors closing some parts of the mining area before others. One delegation noted that each part should have its own closure plan.

Observers emphasized the need for management and monitoring of impacts and effects on human health as well as economic, social, and cultural dimensions, including cumulative effects. One proposed to include all these components in the definition of environmental impacts in the Schedule. Another focused on the potential release of radioactive isotopes during deep-sea mining activities, which has been "identified as a critical and largely unstudied environmental and human health risk that demands urgent attention."

The facilitator invited delegates to submit written proposals for incorporation into intersessional discussions, noting support for the monitoring and management of cumulative impacts and environmental risks.

IWG on Effective Control: On Friday, 17 July, the Council addressed effective control based on a draft standard and introductory note prepared by the Netherlands and Canada, the IWG's co-facilitators.

The co-facilitators pointed out that a "factual approach" to effective control was used, rather than an "economic" or "regulatory" one, noting that a level of conceptual agreement is necessary before moving to textual negotiations.

They explained the legal basis for effective control as set out in UNCLOS and the 1994 Agreement as well as in the ITLOS 2011 Advisory Opinion on "Responsibilities and Obligations of States Sponsoring Persons and Entities with Respect to Activities in the Area."

They stated that effective control is relevant to:

- determining who can carry out activities in the Area;
- determining which sponsorship is required;
- the responsibility to ensure compliance and states' liability for damage; and
- access to reserved areas.

They also outlined the draft standard, in particular: definitions; types of controllers; instructions or directions; information to be provided by applicants; and the LTC's practical sequence of procedures for assessing such information.

Delegates supported a factual approach and conceptual clarity before textual negotiations. Some underscored the need to distinguish the provisions on effective control from obligations of sponsoring states. A delegate noted that greater clarity will assist both sponsoring states and applicants in understanding respective rights and responsibilities. A member stressed that the discussion is tied to the relevant state's ability to exercise control and secure compliance by contractors in the carrying out of activities under an exploitation contract.

Some underscored the need to ensure that the effective participation of developing countries needs to be embedded in the legal framework. In that respect, a member called for proportionate and practical evidentiary requirements on effective control, without imposing additional costs on developing countries.

Some stressed that the relevant standard must be clear and implementable, and address all factual scenarios. A regional group noted the need to consider ownership, voting rights, financial arrangements, and persons who influence key operational and commercial decisions, highlighting the need to review effective control throughout a contract's duration.

A member urged addressing cases where a contractor may be accompanied by a sponsoring state and operate through a parent company from another state, addressing cases where the parent company may overrule the instructions of the state of nationality. A regional group stressed that effective control should be applied in a manner that prevents circumvention of requirements and avoids putting influence in the hands of a limited number of entities.

A few members welcomed an LTC assessment of effective control on a case-by-case basis and pointed out the need for corporate law experts among LTC members. A delegate emphasized the need to address the links between effective control and parent company liability. Another called for flexibility to preserve legal, corporate, and institutional arrangements that exist among Parties and urged respecting national legal systems and sovereign rights to determine corporate governance frameworks.

A member pointed to the need to address the implications of material changes in ownership, governance, financing, or relevant legal arrangements. Another noted that the draft places considerable emphasis on corporate governance and arrangements as indicators of effective control, requesting clarity on how the regulatory authority exercised by sponsoring states will be reflected.

Others requested additional clarifications, including scenarios where two potential effective controllers exist and whether a list indicating the parameters to be addressed by the LTC in its determination of effective control is indicative or exhaustive.

The MAUI NUI MAKAI NETWORK expressed concerns over the current framework around effective control, stressing it may leave Pacific Island nations and coastal states open to manipulation by contractors because "they may take advantage of states that do not have the practical infrastructure to effectively control activities in the Area."

Discussions will continue intersessionally.

IWG on Test Mining and Pilot Mining: Council members addressed Test Mining (TM) and Pilot Mining (PM) on Tuesday, 21 July. The discussion was guided by Belgium, China, and Germany, co-facilitators of the IWG, and was structured around an aid to discussions that included guiding questions.

The co-facilitators drew attention to their report on intersessional work, noting the need for further conceptual clarification before any drafting exercise and to agree on a way forward to address pending issues. They outlined the overall process and differences between TM and PM.

Regarding TM, they noted that it is expected to be conducted during the exploration phase, in accordance with the exploration contract, and to be a prerequisite for applying for an exploitation contract.

The purpose of TM includes:

- testing the functionality of the proposed mining equipment on a reduced scale;
- gaining initial understanding of the impacts the foreseen mining operation will cause; and
- collecting the necessary field data as a basis for the EIA to accompany the proposed PoW.

On the other hand, PM is expected to be conducted during the exploitation phase in accordance with the exploitation contract, as a prerequisite to commencing commercial production. The purpose of PM includes validating commercial production systems, demonstrating commercial viability, environmental feasibility, and technical capabilities, including improved understanding of cumulative impacts.

The co-facilitators further stressed that TM and PM should be considered instruments rather than objectives, noting the need to discuss potential exemptions.

On the guiding questions, Council members expressed diverse views. Many delegates agreed with the **overall process** and the outlined phases, stressing that the distinction between TM and PM is clear. One delegation viewed TM as preceding the PoW and PM preceding commercial production, which itself needs validation monitoring, and suggested that the flow chart be iterative, increasing in detail with further development of the regulatory process.

Several members called for simplifying the PM process. One delegate said conducting two separate tests would be too costly, preferring one general feasibility test. Another noted that the ISA should be in a position to suspend, end, or require modifications to a PoW if the PM results are not in accordance with environmental thresholds or the EMMP. Some members suggested defining “low production capacity” and “appropriate production capacity,” noting the terms are too vague and open to interpretation.

Delegates expressed divergent opinions on the need for the Council’s **approval to transition** from PM to commercial production in addition to the LTC assessment. A few delegations, opposed by a regional group, emphasized that PM is a scientific matter that does not require political discussion or a Council decision. A member noted that the commencement of commercial production already requires a Council decision. Some expressed flexibility.

A delegate noted that other provisions in the draft regulations foresee mechanisms directed toward reaching the same goals, particularly the effective protection of the marine environment, without requiring the Council’s approval to move from PM to commercial production. Others suggested that oversight mechanisms require further discussion. One member urged pre-agreed criteria for validating the pre-production phase. A regional group noted a gap regarding the full life cycle, opposed giving primary responsibility to contractors for *ad hoc* arrangements, and said that regulating this under both exploration and exploitation regulations could lead to duplication.

Some delegations supported the current version of the **PM objectives** as included in regulation 48 ter (pilot mining). One member called for a more robust EIA regime. Another recommended that the feasibility study under regulation 25 (documents to be submitted prior to [commercial] production) start earlier in the process, with PM later assessing the appropriateness of moving to commercial production. Many members called for validating that mining equipment is reliable, while one stressed testing environmental equipment.

A regional group proposed collecting geological and geotechnical data. A group proposed to “verify” rather than “ensure” that environmental impacts are fully covered by an EIA, and “demonstrate” rather than “prove” technical capabilities, in draft regulation 48 ter. One member called for more specific objective criteria for PM. Another highlighted the objective to generate data for the design of commercial operations, noting that a week or two of continuous operations suffices. A delegation urged testing the environmental impacts of components’ interactions, with another noting that the marine environment includes biotic and abiotic components. Another stressed that PM should focus on reducing scientific uncertainty and validating scientific information, rather than validating equipment and technical capability.

Regarding the **TM objectives**, some members supported their inclusion as a standalone provision, while others preferred incorporating them in the TM definition in the Schedule.

On the specific circumstances that should allow an **exemption** from TM, numerous members pointed to cases where technologies, equipment, and capabilities have already been verified, or data is available from other commercial production or previous testing. A delegate noted that exemptions should be accompanied by a document explaining the rationale for the exemption and how it will be applied. A regional group urged only granting exemption through a procedure certifying logical equivalence and geographical similarity and environmental criteria.

Some members said exemption scenarios should be very limited, as the impacts and effects of the same technology can vary widely. A delegate noted that even in cases of mature technology, the correct procedures need to be in place, and the technology should be used in an appropriate manner. Another suggested considering partial exemptions. Some delegates underscored the emerging nature of the industry, scientific uncertainty, and challenges in identifying solid criteria, noting that exemptions may be considered when a better understanding of risks is developed.

On the need to include a provision for the LTC to verify exemptions in **regulation 13** (assessment of applicants and application), many delegations supported the addition. One specified the need for the Council’s approval, calling for defining the exemption-granting process and the consequences of rejecting an exemption request. Another proposed that in cases an exemption request is not accepted, the LTC should be in a position to request additional information by the applicant before proceeding to its final recommendation.

IWG on Closure Plans: On Tuesday, 21 July, the Council addressed the outcomes of the IWG on closure plans, facilitated by Fiji.

The facilitator reported on progress intersessionally, noting that Norway, as facilitator of the working group on environmental management and monitoring, proposed a new structure for the regulations, as explained in the joint textual proposal, so that the regulations on the closure plan are placed in section 3 (environmental management and monitoring) of Part IV (protection and preservation of the marine environment) of the draft regulations.

Norway added that the proposal considers incorporating closure plans into the EMMP, with a “final” closure plan submitted prior to closure. They emphasized that everything included in a closure plan would be part of an EMMP and therefore submitted as a single plan covering both management and monitoring during commercial production and closure. They added that under this new structure, closure activities would be reviewed alongside the EMMP.

Many delegates welcomed the proposed new structure and approach as a basis for further discussion, with some noting that proper alignment is required across the regulatory text. A regional group emphasized that the closure regime must be predictable, science-based, and aligned with REMPs and monitoring architecture. They underscored that closure obligations must be treated at the same level as operational obligations and be considered as an integral component of responsible environmental management throughout the lifetime of the mining operation.

One member called for: establishing clear, measurable objectives and criteria to verify fulfillment of obligations for closure; monitoring at least minimum expectations, given the uncertainty of seabed recovery; and not assuming outcomes that are not yet scientifically or technically feasible. Another favored continuous environmental monitoring throughout the closure plan.

One delegate noted that any final compliance assessment reports by the independent auditor upon completion of implementation of the closure plan should be made available for comment by the contractor in addition to stakeholders. They specified that the LTC should either conduct the final assessments or hire independent auditors, following a single universal hiring procedure, at the contractor’s expense.

A member supported including in **regulation 51 bis** (implementation and monitoring of the closure plan) provisions to address cases of contractors' non-compliance, including provision of access to information about environmental performance.

Another supported that monitoring continue until completion of the closure plan and end when the objectives have been met, adding that management should cover environmental effects "and risks."

An observer organization called for effective mechanisms for meaningful participation of Indigenous Peoples and stressed that closure is ultimately a promise to future generations, emphasizing that "stewardship is measured not only by what we take, but by the condition in which we leave the places entrusted to our care."

FoP Group on Compliance and Enforcement Measures: On Tuesday, 21 July, Council members turned their attention to compliance and enforcement measures. The Netherlands, facilitator of the FoP group, reported on intersessional progress of the group and guided the session based on a note for discussion.

The Netherlands invited delegates to pursue a conceptual understanding of the issues at hand before moving on to a drafting exercise, focusing on the issuance of **emergency orders** and **remedial actions**. He noted the need to discuss the roles and functions of the compliance committee, LTC, and Council as well as how the measures and orders relate chronologically.

Discussions focused on:

- whether the compliance committee, instead of issuing or recommending emergency orders, could refer an urgent situation to the LTC and issue emergency measures of a temporary nature according to regulation 99 (inspectors' power to issue instructions), with delegates expressing divergent views; and
- remedial actions, with the facilitator noting that the current draft of regulation 104 (power to take remedial action) envisages that the ISA will take remedial action to prevent or mitigate the effects of a contractor's failure to comply with the terms and conditions of an exploitation contract, but does not clarify which ISA organ should be responsible nor the modus operandi.

A delegate stressed that the power to issue or suspend emergency orders rests with the Council. Others recommended that the compliance committee only notify the LTC when the emergency falls under the LTC's purview or in urgent situations. A member opined that the LTC does not have an exclusive mandate to recommend emergency orders.

One delegate advocated entrusting emergency measures to the Secretary-General, noting the Secretariat can provide immediate responses. Others preferred that the Council should carry out this function in an expedited manner, suggesting establishment of a Council sub-group on a rotational basis that may meet intersessionally.

A member noted that the compliance committee may issue emergency measures of a temporary nature provided there is a clear definition and specific list of such measures. A regional group added that such measures should be limited to containing or mitigating further harm and should stay in force until the situation is no longer urgent or the Council takes a relevant decision.

Some delegates requested clarification regarding, among other things, cases where the emergency does not necessarily imply non-compliance, such as technical issues or accidents.

The facilitator noted that more discussion is needed on emergency orders of a temporary nature and invited delegates to continue work on remedial actions intersessionally.

IWG on Coastal States: On Wednesday, 22 July, Portugal and Singapore, co-facilitators of the IWG on rights and legitimate interests of coastal states, introduced a set of guiding questions and invited delegates to focus on bracketed text in draft regulations 4 (rights and legitimate interests of coastal states and duty to notify), and 93 bis (consultation with coastal states).

On **regulation 4**, on the question of conducting activities with due regard for "coastal states" or "potentially affected coastal states," most members preferred no qualifier, noting this better reflects UNCLOS Article 142 (Rights and legitimate interests of coastal states). Some urged consistency throughout the regulations.

Many delegates supported that contractors shall "consult" rather than "engage" with potentially affected coastal states at an early stage and throughout the exploitation contract. They emphasized that "consult" reflects the expectation of meaningful dialogue prior to taking a decision and better reflects the provisions of UNCLOS Article 142. A delegate suggested "consult and, where applicable, engage," as a compromise. Some delegates proposed exploring going beyond consultations, allowing coastal states to request relevant data and information from contractors.

Some members supported cross-referencing regulation 93 bis (consultation with coastal states), noting that it may need to be adjusted to reflect the obligation of continuous engagement. Others noted that referring to "potentially affected coastal states" in this paragraph is not inconsistent with opting for "coastal states" in other parts of the regulations, stressing that provisions operate at different levels.

Regarding the scope of coastal states entitled to participate in consultations, delegates discussed whether to refer to coastal states "which may include those adjacent to any contract area," or "that are adjacent to any contract area."

Most delegates preferred the "may include" formulation, noting it is clearer, broader, more inclusive, and better aligned with UNCLOS-relevant provisions. A member expressed concerns about strict criteria for adjacency, preferring language making consideration of every coastal state mandatory. Another underscored that adjacency should be an indicator rather than a condition. Many reiterated that activities in the Area must be conducted for the benefit of all humankind.

On **regulation 93 bis** (consultation with coastal states), delegations discussed the trigger for commencing consultations. Some thought it should be prior to preparing the PoW, while others preferred prior to submitting the documents referred to in regulation 7 (form of applications and information to accompany a PoW), which would be the earlier trigger. Others expressed flexibility

A regional group noted that even when the PoW is developed at a later stage than the submission of documents referred to in regulation 7, the PoW trigger allows sufficient information to be developed for meaningful participation.

Delegates expressed differing views on whether 60 or 90 days would be a more realistic period for assessing, gathering supporting data, and deciding whether to request to participate in consultation.

On a bracketed provision on the Secretariat providing support to developing states to identify potential effects of the planned activity on marine areas and resources under their jurisdiction, some delegations supported its inclusion, with one noting the need for further refinement. A regional group stressed that such assistance should not be provided by contractors or sponsoring states, which have an interest in the approval of the PoW.

The co-facilitators noted discussion would continue intersessionally.

IWG on Underwater Cultural Heritage: On Wednesday, 22 July, the Federated States of Micronesia and Greece, co-facilitators of the IWG together with Brazil, introduced the briefing note and textual proposal for the thematic discussion, drawing attention to **regulation 35**—the title of which remains under negotiation—with proposals to cover either UCH or objects and sites of an archaeological or historical nature as well as human remains.

They invited delegates to focus on key terms and concepts, particularly language on objects and sites of an archaeological or historical nature, UCH, venerated sites, and cultural rights or interests, including collective rights such as those held by Indigenous Peoples.

Many members suggested referring to UCH throughout the regulatory text. In contrast, a few delegates and a regional group favored the language "objects and sites of an archaeological or historical nature" as contained in UNCLOS.

They expressed divergent opinions on two alternative definitions of UCH in the Schedule contained in the textual proposal. A few delegations preferred to maintain the original, while others supported the alternative that also includes "intangible" UCH. A few expressed flexibility.

A couple of delegates cautioned against using elements of the 2001 UN Educational, Scientific and Cultural Organization (UNESCO) Convention on the Protection of UCH, noting they are not Parties to that Convention, while others supported using the UNESCO definition.

Some delegates underscored that intangible UCH must be addressed through consultations, impact evaluation, environmental planning, authorization conditions, and, if necessary, social protection, noting that regulation 35 focuses on human remains and tangible expressions of UCH. Others highlighted the need to protect international sovereign immunity, which protects a sovereign state from the civil jurisdiction and enforcement mechanisms of another nation's domestic courts.

A couple of delegations suggested including reference to "verifiable links" for any findings linked to UCH. A few others objected, with one requesting clarification on the legal basis of the term.

Recognizing the importance of protecting "venerated sites," a delegation noted that its definition is ambiguous. One supported the term while several others opposed it, with one noting no reference to it in any international instrument. A regional group pointed to the need to define it as well as "cultural rights," and requested clarity on their legal basis.

Observer organizations supported retaining references to UCH as well as to "intangible" and "venerated sites" throughout the regulations. They expressed support for the definition of UCH that includes references to intangible UCH. They called for establishing a roster of experts on cultural matters, which shall include Indigenous experts, and stressed the need to incorporate multiple knowledge systems in decision-making, including Indigenous knowledge.

One observer emphasized that the term "cultural rights" is not fit for purpose to refer to rights of Indigenous Peoples, noting that the rights recognized in the UN Declaration on the Rights of Indigenous Peoples are collective rights that express the right to self-determination and encompass autonomy, participation in decision-making, the relationship with their territories and resources, and the continuity of their institutions and their own forms of political, social, and cultural organization. They stressed that no decision should be taken at the expense of Indigenous Peoples' self-determination, without their effective participation, or through mechanisms that undermine the substance of their right to consultation as a minimum guarantee of proper interpretation and regulatory consistency.

The co-facilitators noted that deliberations will continue intersessionally, with a focus on identifying key outstanding issues.

Annexes and Schedule: On Tuesday, 14 July, delegates turned their attention to the annexes, starting with those that were not reviewed during Part I of the 31st session.

On **Annex III bis** (scoping report), a few delegations strongly suggested aligning it with relevant provisions from the BBNJ Agreement. They underscored that the scoping report and the entire EIA process must satisfy the EIA equivalence provisions in Article 29 (relationship between this Agreement and EIA processes under relevant legal instruments and frameworks) of the BBNJ Agreement.

Delegates expressed different views on whether to:

- use "UCH" or "objects and sites of an archaeological or historical nature";
- include a description of the methodology for collecting and analyzing information on data gaps, potential data gaps, or data with a large uncertainty associated with it for the project, including environmental baseline data; and
- include a provision on human health impacts associated with the project.

Delegates also discussed whether there is a difference between environmental risk assessment and EIA; consistency and alignment with the regulations; and stakeholder consultation and engagement.

A regional group proposed restructuring the annex in order to address, first, the available information, then the identified and potential gaps, and, finally, the proposed ways to meet those gaps.

Observer organizations stressed that stakeholders may be key in identifying further stakeholders; highlighted public consultation procedures and the need to address current inconsistencies and inadequacies on when, how, and by whom consultations shall be conducted; and offered textual suggestions, including on expert selection.

President Joshi noted that much of the content of **Annex IV** (environmental impact statement) was moved to the suspense document.

Some delegates noted that providing information based on data from a minimum of 15 years of monitoring is not a feasible requirement and should be deleted. They added that the period of time should not be specified and should instead focus on the expected outcome. Others noted the need for sufficient temporal data to allow assessment of natural variability.

Others noted that some of the provisions suggested for moving under standards and guidelines are elements of binding regulations, adding that impacts on the entire water column should be specified as well as cumulative impacts and scientific uncertainties.

A regional group requested clarification on the term "area of influence" and suggested using "impact area" consistently. A delegate expressed a preference to retain all elements in the annex, rather than placing them under standards and guidelines.

Observers suggested that the appropriate working group address relevant regulations, annexes, and standards as a package, noting that the LTC report indicates its interest in engaging with such a group. They also expressed concerns over the amount of substance in the annex that has been moved to the suspense document.

They urged the reinstatement of the requirement for review of the environmental impact statement by competent independent experts before its submission.

When discussions continued on Wednesday, 15 July, opinions diverged on the title of a section in the annex that refers to impacts on the oceanographic, physiochemical, and geological environment. A delegation suggested "oceanographic, geological, and atmospheric," while another preferred simply referring to the oceanographic environment. On "implications of climate change," some delegates proposed adding a reference to ocean acidification, while a member suggested "impacts of climate change."

Some delegates expressed preference for an option listing the information that a proposed project should include. A delegation suggested referring to impacts "and effects" in various parts of the text and replace references to "mining sites" with "mining area," which is a defined term. A few members proposed clarifying that the text refers to "mineral" resources. Opinions diverged on whether "closure" already includes "decommissioning."

A delegate suggested replacing "environmental risk assessment" with "scoping assessment." A regional group said they will try to streamline the text through a written submission. A delegate drew attention to a joint streamlining proposal tabled in 2024. Delegates also discussed cross-cutting issues, focusing on, among other things:

- the differences between environmental impacts and effects, noting that both should be addressed, as appropriate;
- references to residual impacts instead of residual effects;
- clarity and consistency in the use of terms such as mitigation measures and mitigation hierarchy, with one member suggesting including the latter in the Schedule;
- the consideration of cumulative effects, with a few members suggesting adding "if possible";
- assessing and addressing uncertainties, with some supporting explicitly including them as separate sections; and
- whether to refer to "environmental management, monitoring, and reporting" or "environmental management measures to avoid, reduce, and mitigate impacts," with a participant proposing a hybrid version.

Observers suggested the inclusion of references to: UCH paleontological archives; how extreme natural events will change in response to climate change, to ensure the environmental impact statement is future-proof; and the need to explicitly include references to cumulative impacts from mining activities, climate change, and other human activities.

On **Annex V** (emergency response and contingency plan), a regional group offered ideas for cross-referencing relevant regulations and a delegate suggested restructuring the annex and retaining a reference to the assessment of "potential" pollution hazards and measures to prevent or reduce such hazards. Another proposed replacing references to "incidents" with "notifiable events," and "controlling the risk of incidents" with "reducing the risk and mitigating the effects of incidents."

A delegation suggested amending the definition of the emergency response and contingency plan to refer to "a PoW prepared in accordance with Annex V, including any modification made thereto from time to time, in accordance with these regulations." Another proposed adding that "this plan is to be developed further under these regulations and in conjunction with other international organizations, sponsoring states, and other entities with relevant jurisdictional competence as regards specific components of the plan."

On the use of "applicable" versus "relevant," a participant noted that "applicable" is a precise legal term, which refers to the rules, regulations, and procedures of the ISA adopted and directly applicable, while "relevant" is much broader and could be subjective in its interpretation.

An observer organization suggested clarifying the distinction between "warning" and "notification" and linking the plan with other safety and flag state obligations.

One delegation, supported by others, noted that, with respect with **Annex VI** (health and safety plan and maritime security plan), "relevant plan" means a plan of work prepared in accordance with regulation 30 (safety, labor, and health standards) and Annex VI, including any modifications made in accordance with the regulations. A delegate suggested including procedures for the plan's periodic review and noted that the plan applies to everyone so references to gender sensitivity are redundant. An observer organization explicitly supported references to gender sensitivity, stressing in particular women's safety and freedom from harassment in the workplace and the right to an inclusive working environment.

A member called for consistently referring to "vessels" rather than "ships" and including references to "installations." Another stressed that several provisions of the annex need to be incorporated into the standards and guidelines.

President Joshi noted that Annexes VII (EMMP) and VIII (closure plan) are being addressed by the relevant working groups.

Regarding **Annex IX** (exploitation contract and schedules), some delegations suggested additions to improve the clarity of the provisions, including a reference to the PoW in the section on incorporation of clauses and an explicit mention of the resource type to be exploited in the section on granting of rights. An observer welcomed additional clarification on the granting of rights, particularly regarding how exploration activities can take place under an exploitation contract.

On **Annex X** (standard clauses for exploitation contract), some delegations suggested mainstreaming the text. On a section on undertakings, delegations expressed divergent opinions on the non-exhaustive list of the content of the PoW.

A member suggested adding provisions on complying with the terms and conditions and fulfilling obligations in good faith, and managing resources in a way that promotes further investment and contributes to the long-term development of the common heritage of humankind. A few members suggested deleting "any impacts from activities in the Area carried out under an exploitation contract must be strictly limited to the contract area," noting that these are addressed elsewhere.

When discussions continued on Thursday, 16 July, discussions focused on:

- use of subcontractors and third Parties;
- responsibility and liability;
- force majeure;
- extension;
- renunciation of rights;
- suspension and termination of contract and penalties;
- obligations on termination of contract;
- no waiver provisions;
- modifications of terms and conditions of a contract; and
- applicable law, disputes, and notice.

Many supported the general structure, while noting the need to streamline the annex, better align it with the relevant regulations, and include cross-references as appropriate.

Regarding the use of subcontractors, some delegates suggested retaining a provision noting that "the contractor shall apply due diligence in selecting its suppliers, and shall be responsible to ensure the adequacy of goods and services it procures, in accordance with good industry practices." Others suggested streamlining the section.

Many members noted that liability is a key outstanding issue, emphasizing the need to address it holistically, including focusing on the nature and applicable basis of liability, the type of damage to be covered, and how the different strands of the proposed liability regime interact. A regional group suggested limiting liability to harm that contravenes the provisions of the regulations and the standards.

A delegate noted that different liability regimes may be imposed to ensure no liability gaps and added that the contractors should bear responsibility for addressing new risks in addition to existing ones.

Many delegates suggested retaining a bracketed reference to the polluter pays principle, while some reserved their position. A participant suggested a causation-based trigger for liability. Others proposed defining "wrongful acts and omissions" in the Schedule and ensuring that the contractor will be liable for actions by subcontractors. Two delegations suggested addressing liability as a cross-cutting issue and establishing a working group for further deliberation and volunteered to facilitate it.

Observer organizations stressed that the provisions in the annex must be coherent with the liability framework in the regulations and include explicit provisions on: the type of claims; by whom; against whom; for which forms of harm; in which forum; and through which remedies. They queried the limitation of liability to the ISA, noting that other legal personalities, including coastal states and Indigenous Peoples, may be entitled to claim or receive compensation and stressing that the provision should be "without prejudice to claims for environmental damage in its own right." They added that "wrongful acts or omissions" should be defined to include "any harm of a type or scale not approved in the PoW."

On section 8 on force majeure, a few delegations called for aligning the definitions on force majeure in the annex and the Schedule.

On section 12 on suspension and termination of contract and penalties, the Netherlands, facilitator of the FoP group on non-compliance notice, suspension, and termination of exploitation contract, proposed addressing this section in the FoP group intersessionally.

Some supported including references to UNCLOS and the 1994 Agreement as the supreme law that governs the term of contracts in section 17 on applicable law. A regional group noted that "other rules of international law" is too broad.

Many Council members requested reinstating a reference that a contractor, "its employees, subcontractors, agents, and all persons engaged in working or acting for them in the conduct of its operations under this contract" shall observe the applicable law. They pointed to the absence of a clear rationale for its deletion and its relevance for compliance and liability.

The Council then addressed **Annex X bis** (design criteria for impact reference zones (IRZs) and preservation reference zones (PRZs)). IRZs are designated marine areas serving as impact study zones to evaluate how mining activities affect the seabed's characteristics. PRZs are strictly protected no-mining areas that serve as scientific control sites for monitoring environmental impacts. Delegates discussed, among other things:

- the correspondence between types of environmental impact and IRZs to enable contractors to monitor such impacts, with a few delegations calling for reinstating the relevant provision, and one noting that contractors might designate multiple IRZs;
- whether zones can be inside or outside the contract area, with a delegation noting that fulfilling the applicable criteria should prevail in the location's determination;
- the reintroduction of provisions regarding pelagic and benthic environment, abiotic and biotic parameters, and post-mining monitoring, with a delegation stressing that these provisions allow for operationalizing the annex; and
- cross-references to relevant regulations.

Observers suggested: further clarity on the triggers and mechanisms for introducing additional reference zones and addressing cases where PRZs are accidentally impacted and their ability to function has been impaired. They asked whether the ISA has a role in ensuring that PRZs remain unimpacted.

They further noted that IRZs and PRZs must be sufficiently large to maintain populations and that the term "sufficiently large populations" for establishing PRZs is unclear for deep-sea organisms, where there is no clear understanding of their population distribution, size, or connectivity.

President Joshi noted that **Annex XI** (parent company liability) is a cross-cutting issue and suggested addressing this during discussions on the parent company liability statement. A delegate suggested replacing references to "maps" with "charts" throughout the annex, with a participant adding that maps do not have the same hydrographic precision as charts.

Delegates then turned their attention to the **Schedule** (glossary) containing applicable definitions. They focused on definitions on:

- the beneficial ownership registry;
- best environmental practices and best available scientific information or knowledge;
- contractor, change of control, and collision;
- contamination and cumulative environmental effects; and
- the closure plan.

President Joshi suggested establishing an informal group for further work. A delegate suggested developing definitions only for terms that are insufficiently precise and are used more than twice in the regulations. Some delegates favored allocating to existing informal groups definitions that fall under their purview, which was agreed.

Roadmap for Future Work: Delegates discussed the roadmap on Friday, 24 July, in a closed-door informal meeting. They agreed on the "approach to the continuation of the elaboration of rules, regulations, and procedures relating to exploitation and resolution of the remaining key outstanding issues," which was adopted during the closing plenary.

Final Decision: In its decision (ISBA/31/C/38), the Council requests the Secretariat to:

- draft a roadmap for consideration at Part I of the ISA-32 Council session, setting out milestones for timely adoption of the rules, regulations, and procedures relating to exploitation and an updated indicative list of key outstanding issues requiring further thematic discussion by the Council;
- share the draft roadmap by 31 October 2026, organize webinars to present it, for written comments to be submitted to the Secretariat

by 31 December 2026, and share an updated draft at least one month before Part I of ISA-32;
- provide an advanced negotiating text based on discussions and outcomes achieved during ISA-31 as well as subsequent intersessional input, and upload it to the ISA website at least six weeks in advance of Part I of ISA-32; and
- provide an indicative programme of work for Part I of ISA-32, focusing the Council's consideration on the key outstanding issues that require further thematic discussion.

The Council calls on Member States to:
- participate in an IWG to discuss updates to working methods during the intersessional period before ISA-32 to enable the Council to focus on the key issues; and
- actively participate in intersessional work.

Other Matters

Report on the Status of the Proceedings before the ITLOS: On Monday, 13 July, on the status of the proceedings pending before the ITLOS (ISBA/31/C/29). Steven Dietrich, ISA Legal Counsel, presented the report containing factual information on the ongoing proceedings by NORI and by Tonga Offshore Mining Limited (TOML) against the ISA before the Chamber of ITLOS. He stressed the call for Parties "not to act in any way that could hinder any order that the Chamber may make on the request for provisional measures." He confirmed that the Chamber would deliver its orders on the request for provisional measures on 18 July 2026.

NAOERO drew attention to aspects of the factual chronology that do not appear in the document, including the nature of the application, the absence of references to the applicants' efforts to avoid further escalation after proceedings had commenced, and difficulties in effectively exercising its sponsoring state responsibilities.

Stating that the proceedings initiated by NORI and TOML at ITLOS "aim to stop the Authority in its tracks," GREENPEACE INTERNATIONAL called on the ISA to act collectively to uphold UNCLOS, stressing that TMC USA's pursuit of unilateral mining relies on its sister companies maintaining ISA contracts that prevent competing claims for these areas. They reiterated the call to support a global moratorium as the clearest way to collectively isolate and contain unilateral deep-sea mining.

In its orders on cases N°34 (NORI) and N°35 (TOML) for provisional measures issued on 18 July 2026, the Chamber prescribes that:
- the ISA shall act in accordance with the relevant legal framework, including rules of due process, in both the inquiry procedures and the exploration contract extension;
- the ISA shall clarify or provide to NORI and TOML the relevant procedural information for implementation of paragraphs 9 and 10 of the 2025 Council Decision (ISBA/30/C/19) and the questions posed to NORI and TOML to enable them to respond meaningfully to the questions within a reasonable period of time;
- ISA, NORI, and TOML shall submit as soon as possible a report and information on compliance with any provisional measures prescribed before 31 August 2026; and
- the Parties shall cooperate and refrain from any action that might lead to aggravating the dispute.

Closing Plenary

The closing plenary convened at 10:45 pm on Friday, 24 July, due to lengthy informal discussions on: financial matters; the reports of the LTC Chair; the operationalization of the EPC; and the roadmap for future work.

Dates for the Next Session: The Council agreed that Part I of the 32nd annual session for the Council will take place from 8–19 March 2027 and Part II, from 12–23 July 2027.

Regarding a potential third session toward the end of October 2027, COSTA RICA underscored challenges for smaller delegations associated with limited resources and small technical teams, and suggested focusing on intersessional work.

Closure of the Session: President Joshi expressed his appreciation for delegates' constructive engagement, commitment, and determination, and noted significant progress in advancing the draft exploitation regulations and a clear roadmap for future work.

ISA Secretary-General Carvalho commended all delegates and participants for their efforts and achievements, emphasizing that "the Secretariat stands with you throughout the journey."

Host country JAMAICA thanked all participants for their dedication and flexibility and reiterated the commitment to balance resource development with environmental stewardship and equity.

President Joshi closed the Council session at 12:01 am.

ISA-31 Assembly Report

Dwight Gardiner (Antigua and Barbuda), ISA-30 Assembly President, opened the session, welcoming Kyrgyzstan and Cambodia as new ISA members and inviting delegates to observe a minute of silence dedicated to prayer and meditation.

JAMAICA, as the host country, welcomed participants and stressed that "the ocean reminds us of the interconnectedness of our work." They emphasized that the common heritage of humankind "is not an aspirational principle but a solemn commitment," and called for balancing opportunity with responsibility. They stressed the need for transparency, mutual trust, and accountability, underscoring that the ISA is "a beacon in the era of challenges to multilateralism."

ISA Secretary-General Carvalho drew attention to progress in the negotiations on the draft exploitation regulations and provided an overview of the Assembly's programme of work. She highlighted the attendance of Arsenio Domínguez, Secretary-General of the International Maritime Organization (IMO), noting it marks an important moment in the relationship between the two organizations.

IMO Secretary-General Velasco noted the 2016 Agreement of Cooperation between the IMO and the ISA and detailed areas of cooperation including: joint statements by both organizations during negotiation of the BBNJ Agreement; IMO-ISA discussions on sharing IMO expertise in waste management, including inert geological material and monitoring procedures; and their respective memberships in the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection.

Organizational Matters

Adoption of the Agenda: On Monday, 27 July, Outgoing President Gardiner introduced the provisional agenda (ISBA/31/A/L.1/Rev.1), which was adopted.

Election of Officials: On Monday, 27 July, the UK, for the Western European and Others Group, nominated Oliver Whitehead, the Netherlands, as ISA-31 Assembly President. He was elected by acclamation. Nigeria, Samoa, and Trinidad and Tobago were elected as Vice-Presidents. The election of the fourth vice-president was postponed pending the relevant nomination from the Eastern European Group.

Credentials: On Monday, 27 July, delegates approved the following ISA members for the Credentials Committee: Belgium, Canada, Côte d'Ivoire, the Dominican Republic, Indonesia, Kenya, The Bahamas, and Tonga.

On Friday, 31 July, the Committee presented the credentials report (ISBA/31/A/12), noting 78 states submitted credentials and seven states submitted related information. The Assembly approved the report.

Election to Fill a Vacancy on the Finance Committee: On Monday, 27 July, President Whitehead introduced ISBA/31/A/9. He noted the resignation of Finance Committee member Lee-Anne Yarr (UK), on 24 July 2026, and Greg Reisman (UK) was nominated to serve the rest of the UK's term. He was elected by acclamation.

Statement by the Council President

On Monday, 27 July, Council President Mayank Joshi (India) presented his oral report on the work of the Council, drawing attention to document ISBA/31/C/19/Rev.1, containing the President's statements during Part I of the 31st session.

Joshi noted significant progress toward the completion of the Mining Code and a focus on resolving remaining key policy issues through a structured process.

Joshi highlighted, among other things:

- approval of applications for extension of exploration contracts;
- decisions discharging the Council's institutional responsibilities;
- decisions on the reports of the Chair of the LTC as well as on financial and budgetary matters;
- work on provisions in the exploitation regulations to ensure effective protection of the marine environment;
- the importance of standards and guidelines as an integral component of the Mining Code and the relevant work of the LTC;
- intersessional consultations that improved mutual understanding and facilitated progress on various topics under discussion;
- the roadmap for future work in 2027; and
- issues requiring further political guidance.

Joshi stressed that the Council's work demonstrates that, despite the complexity of the issues at hand and divergent national positions, "multilateralism continues to produce meaningful results."

SAMOA, ITALY, SINGAPORE, and others commended President Joshi for the comprehensive report and for the tangible progress, highlighting the significance of the Council's work.

The Assembly took note of the report.

Guidelines for Observer Status of Contractors with the ISA

This agenda item was introduced on Monday, 27 July, and was considered informally throughout the week.

President Whitehead drew the Assembly's attention to the Statement by the President on the work of the ISA Assembly at ISA-30 (ISBA/30/A/14), pointing to the paragraph stating that "it was agreed that contractors could participate as observers in their individual capacity and not be treated differently from other stakeholders; and that it was unnecessary to amend the Assembly's rules of procedure" and that "contractors were invited to submit requests for observer status to be granted by the Assembly."

Steven Dietrich, ISA Legal Counsel, introduced the document (ISBA/31/A/7), which includes the proposed draft guidelines in Annex I, and the relevant draft decision in Annex II. He underscored that for the consideration of observer status requests from contractors, the issuance of a contract to conduct activities in the Area already provides a demonstration of interest in the work of the Assembly; thus, this requirement has been removed from the proposed guidelines for observer status for contractors, alongside the requirement for a periodic review.

Pointing to the absence of an Assembly decision on the matter, COSTA RICA and others opposed the draft guidelines and decision, stressing that their adoption would imply a de facto modification of the Assembly's rules of procedure.

Noting that contractors' applications for observer status requires particular attention and dedicated deliberations, South Africa for the AFRICAN GROUP, COSTA RICA, CHILE, INDONESIA, MALAWI, FRANCE, SWITZERLAND, VANUATU, PORTUGAL, MALTA, BANGLADESH, and others supported deferring consideration of the item to ISA-32. AUSTRALIA, SINGAPORE, the UK, PORTUGAL, BRAZIL, and others supported further discussion on the subject prior to any decision.

The AFRICAN GROUP did not oppose contractors' participation, recognizing the usefulness of their operational knowledge. They noted that the issuance of a contract gives them a legal relationship with the Authority. Supported by GREECE, PORTUGAL, and others, they said an amendment to the guidelines and periodic review will be required, underscoring that contractors are not neutral entities but have direct commercial interests. They opposed providing a permanent or automatic observer status to contractors without legal clarity and safeguards and called for clarifying the relevant legal basis.

The UK said consideration of contractor applications for observer status may be appropriate if the arrangements are transparent and uphold the Authority's integrity. GERMANY supported a designated special observer status for contractors but said the draft guidelines do not adequately address all views or the rules for such a status.

TONGA, TRINIDAD AND TOBAGO, NAOERO, and JAMAICA supported the guidelines. They highlighted, among other things, contractors' contributions toward advancing ISA work and fulfilling its mandate. BELGIUM expressed support for the guidelines and called for reflection on additional measures that can enhance transparency and address the different observer categories.

DSCC urged further discussion before the applications are considered, noting that contractors have a particular interest that is fundamentally different to the public interest of non-governmental organizations (NGOs) and cautioning against increasing corporate capture of the Authority.

EARTH WORKS, also for MAUI NUI MAKAI NETWORK, TE IPUKAREA SOCIETY, WWF INTERNATIONAL, OCEANS NORTH, the DSCC, the INTERAMERICAN ASSOCIATION FOR ENVIRONMENTAL DEFENSE, and GREENPEACE, invited ISA to extend an invitation for the participation of Indigenous Peoples' representatives from the seven sociocultural regions recognized by the UN, with the objective, conditioned upon their consent, of establishing a formal mechanism for Indigenous participation and consultation at the Authority.

SUSTAINABLE OCEAN ALLIANCE warned that granting contractors observer status blurs the line between neutral observers and commercial stakeholders and urged the development of a clear legal definition of "observer" that preserves the independence, credibility, and integrity of observer participation within the ISA.

OPES OCEANI cautioned against linking the grant of observer status to UN Economic and Social Council (ECOSOC) accreditation, noting it would be an unfair imposition on observers.

President Whitehead said discussions would continue in an informal setting.

On Friday, 31 July, President Whitehead introduced the outcome of the informal consultations in the form of a draft decision concerning interim arrangements on requests for observer status submitted at the current session by four contractors.

BRAZIL, CAMEROON, TRINIDAD AND TOBAGO, and CAMEROON that the outcome is balanced and pragmatic and, with GERMANY and INDIA, thanked all delegates for the spirit of consensus. The Assembly approved the decision.

Final Decision: In its final decision (ISBA/31/A/CRP.4), the ISA Assembly:

- requests the Secretariat to make appropriate arrangements for NORI (ISBA/31/A/INF/12), TOML (ISBA/31/A/INF/13), Global Sea Mineral Resources (ISBA/31/A/INF/14), and UK Seabed Resources Limited (ISBA/31/A/INF/15), to sit at the public meetings of the ISA-32 Assembly;
- encourages organizations, including contractors, to refrain from seeking simultaneous accreditation on multiple delegations;
- decides that such arrangements should not be construed as granting observer status;
- agrees that each of these contractors may make oral statements upon the invitation of the President, subject to the Assembly's approval; and
- agrees to continue discussion of contractor attendance at the Assembly's meetings, facilitated by Samoa and Switzerland, to produce a report including draft guidelines for further Assembly consideration.

Consideration of Requests for Observer Status

On Monday, 27 July, President Whitehead invited the Assembly to consider the requests for observer status (ISBA/31/A/INF/1 to ISBA/31/A/INF/16). The Assembly granted observer status to the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (CMS).

SINGAPORE suggested deferring consideration of the requests for observer status under rule 82.1.e (participation of NGOs as observers) until clarity is reached on the requests to grant observer status to contractors.

COSTA RICA, PANAMA, PORTUGAL, and INDIA stressed that the required clarity applies only to contractor requests; thus, applications from NGOs could be considered.

Following President Whitehead's proposal, the Assembly agreed to adjourn the consideration of requests for observer status from NGOs until later in the week.

On Friday, 31 July, delegates approved the following requests for observer status:

- DMUN Foundation (ISBA/31/A/INF/1);
- Académie Africaine de la Pratique du Droit International (ISBA/31/A/INF/2);
- Deep Currents Collective (ISBA/31/A/INF/4);
- Hugo Grotius gGmbH (ISBA/31/A/INF/5);
- Natural History Museum (ISBA/31/A/INF/6);
- Senckenberg – Leibniz Institution for Biodiversity and Earth System Research (ISBA/31/A/INF/7);
- Centre for International Law and Multilateralism (ISBA/31/A/INF/8);
- University of Technology, Sydney, Australia (ISBA/31/A/INF/9);
- INESC TEC – Institute for Systems and Computer Engineering, Technology and Science, Portugal (ISBA/31/A/INF/10);
- University of Vienna (ISBA/31/A/INF/11); and
- Koro Nui o Te Vaikava, Rapa Nui (ISBA/31/A/INF/16).

Annual Report of the Secretary-General

The annual report of the Secretary-General was introduced on Monday, 27 July, and was discussed throughout the week.

Secretary-General Carvalho presented her report (ISBA/31/A/2 and ISBA/31/A/2/Add.1) and the report on implementation of the ISA's Action Plan in support of the UN Decade of Ocean Science for Sustainable Development 2021–2030 (ISBA/31/A/3). She highlighted the accession of Kyrgyzstan and Cambodia to UNCLOS, bringing the number of ISA members to 172 including the EU, with 155 UNCLOS Parties also Parties to the 1994 Agreement. She encouraged all coastal states to submit their charts, as accurate delineation of the outer limits of the Area is essential.

Secretary-General Carvalho highlighted, among other things:

- the accession of Ecuador and Belize to the ISA Protocol on the privileges and immunities, encouraging all ISA members to become Parties;
- receipt of 93% of the contributions pledged for the 2025–2026 budget, encouraging all other states to make their contributions;
- the oral proceedings of 2 July 2026 on applications brought against the Authority in the ITLOS by two contractors;
- 21 exploration contracts in force as of March 2026;
- provision of training opportunities by 11 contractors, for which 48% of qualifying participants were women; and
- collaboration with UN partners and other organizations, including on capacity-building and promotion of safe participation of women at sea.

In the ensuing discussion, Surangel S. Whipps Jr., President of Palau, stated that without multilateralism, there is no common heritage of humankind, emphasizing that "the answer to pressures on multilateralism is to strengthen it." Underscoring that precaution is the foundation of good governance, he stated that "a precautionary pause is not an absence of leadership. It is leadership. It recognizes that where uncertainty is profound, and consequences may be irreversible, wisdom demands patience."

President Whipps pointed to respected scientists, economists, and policy experts who continue to challenge the assumption that deep-seabed mining is essential for the energy transition, economic security, or strategic competition and queried, "Why would we choose the path that carries the greatest uncertainty and the greatest risk of irreversible harm, if alternatives remain available?"

Delegates expressed appreciation for the annual report and for the work undertaken by the Secretariat. Many highlighted UNCLOS as a key pillar of international law and the multilateral system, and a cornerstone of ocean governance, and reaffirmed their support for the ISA's exclusive mandate to regulate deep-sea mining in areas beyond national jurisdiction.

Many delegates highlighted **progress in the negotiations** on the draft exploitation regulations. Kenya, for the AFRICAN GROUP, CHILE, THE BAHAMAS, CHINA, INDONESIA, FIJI, NORWAY, CUBA, TONGA, GREECE, ARGENTINA, SINGAPORE, KIRIBATI, NIGERIA, CÔTE D'IVOIRE, the REPUBLIC OF THE CONGO, PAKISTAN, QATAR, ZIMBABWE, and others emphasized that completion of the exploitation regulations must be accompanied by the institutions, systems, safeguards, and administrative arrangements necessary to ensure that activities in the Area are managed effectively, equitably, and for the benefit of humankind as a whole.

MOROCCO stressed requirements for quality, completeness, and legal certainty. MALAWI expressed its support for a roadmap linked to the completion of substantive discussions rather than to a fixed date. GREECE added that the development of exploitation regulations "is not a race against time," and the REPUBLIC OF THE CONGO emphasized the precautionary approach, noting that "working too quickly would be a historical error." COSTA RICA pointed to outstanding issues, including environmental thresholds, REMPs, monitoring, inspection, compliance, effective control, monopolization and development of standards and guidelines.

SPAIN, VIET NAM and others recalled the need for delivering a robust, science-based, and enforceable framework before any exploitation activity takes place, with the PHILIPPINES, JAMAICA, SOUTH AFRICA, and others adding that it should ensure environmental protection and benefit-sharing. The UK called for robust environmental provisions and high environmental standards. CHILE urged safeguards at least equivalent to those for land-based mining.

Tonga, for the PACIFIC ISLANDS FORUM (PIF), supported by INDONESIA and NORWAY, called for a strong, comprehensive, and fit-for-purpose regulatory framework, based on best available scientific information, accompanied by robust inspection mechanisms in line with the precautionary principle. They specified the use, where available, of traditional and Indigenous knowledge.

CHINA stressed prioritizing development of the Mining Code for clear legal guidance on deep-sea resource development. The RUSSIAN FEDERATION called for a strict, comprehensive legal framework that ensures implementation of the common heritage of humankind, protects the marine environment and balances environmental protection with the economic viability of deep-sea mining. UGANDA recalled that the regulatory framework is to serve to enable exploitation, not defer it indefinitely.

JAPAN said development of the exploitation regulations is a clear requirement under UNCLOS, to provide contractors with legal certainty to pursue activities within the ISA framework. They expressed concern over the prolonged delay in finalizing the framework, inviting all Parties to strive for consensus.

NAOERO reminded delegates that they triggered the two-year provision five years ago, with the expectation that this would expedite the development of the exploitation regulations. They lamented the lack of a clear deadline for the adoption of the regulations, noting that "a process that outlasts its own purpose delivers nothing to no one, however sound its intentions."

ANTIGUA AND BARBUDA, GHANA, and TRINIDAD AND TOBAGO welcomed the concept note on the **common heritage fund** as a basis for discussions to ensure that developing states receive equitable benefits from activities in the Area. GHANA stressed that equitable **benefit-sharing** must remain the central pillar of any exploitation framework. ZIMBABWE called the common heritage of humankind principle "a covenant between generations." QATAR called for an open dialogue within the ISA that builds trust, supports science, and develops institutional capabilities.

JAMAICA, BRAZIL, COSTA RICA, and others supported working toward the establishment of the common heritage fund without prejudice to other options for benefit-sharing. GUATEMALA urged further work on the equitable distribution of benefits, underscoring that "it is practically impossible to evaluate whether the economic benefits from mining would be sufficient to compensate for the cost associated with any harm and reparations in the medium and long term in the marine environment." COSTA RICA stressed the need to discuss royalties, profit margins, and other parameters of the financial model, noting that the operationalization of the common heritage of humankind is ultimately a political decision.

KIRIBATI called for legal certainty and support for the equitable management of the common heritage fund. INDIA looked forward to a common heritage framework, stressing that the equitable sharing of benefits is essential. MALAWI and UGANDA called for the development of a benefit-sharing mechanism that meaningfully reaches states that neither sponsor contractors nor hold contracts.

The AFRICAN GROUP encouraged concrete and sequenced progress toward the operationalization of **the Enterprise and the EPC**. They noted with concern that applications pursued outside the legal framework of UNCLOS and the 1994 Agreement overlap with approximately 80,000 square kilometers of areas reserved for the Enterprise.

The RUSSIAN FEDERATION, THE BAHAMAS, ARGENTINA, TONGA, CAMEROON, INDIA, TRINIDAD AND TOBAGO, and ZIMBABWE urged the timely operationalization of the EPC, noting it is an integral element of the institutional architecture provided for by UNCLOS and the 1994 Agreement. CHILE called for including land-based mining countries in the Enterprise. MALAWI, UGANDA, and LESOTHO stressed the operationalization of the Enterprise as a meaningful channel for benefiting land-locked countries.

The REPUBLIC OF KOREA, MONACO, VANUATU, the RUSSIAN FEDERATION, THE BAHAMAS, NIGERIA, INDONESIA, FIJI, ARGENTINA, the COOK ISLANDS, LESOTHO, ECUADOR, the REPUBLIC OF THE CONGO, ZIMBABWE, SRI LANKA, the MALDIVES, MEXICO, ANGOLA, and VIET NAM supported **capacity-building** efforts to develop members' competencies to effectively participate in the ISA's work, in particular developing states. SOUTH AFRICA emphasized that capacity-building efforts should aim at reducing existing disparities between developed and developing Parties. ROMANIA underscored that ocean governance not only reflects environmental responsibility but also international solidarity with small island developing states.

The AFRICAN GROUP encouraged the continued enhancement of capacity-building programmes. The PIF, with ITALY, MOZAMBIQUE, MALTA, BANGLADESH, and the UK, encouraged further efforts on **marine scientific research**, technology transfer, and capacity-building. KIRIBATI appreciated the initiative to strengthen participation of Pacific small island developing states.

MONACO stressed that "science is our common language, the vector of cooperation, and the guarantor of the credibility of our collective actions." GREECE, ROMANIA, GUATEMALA, and others highlighted scientific uncertainty and knowledge gaps leading to irreversible biodiversity loss. BRAZIL underscored that sharing of scientific knowledge and data is a function entrusted to the ISA by UNCLOS and a precondition for responsible decision-making. JAPAN highlighted new technologies to minimize environmental impacts from activities in the deep sea, reaffirming its commitment to continue to play a leading role in advancing scientific knowledge and technological advancements.

The RUSSIAN FEDERATION, SINGAPORE, SPAIN, the PHILIPPINES, ECUADOR, and others noted progress on all strategic priorities in support of the UN Decade of Ocean Science, with MEXICO and NIGERIA stressing the ISA's Action Plan as an important contribution to a science-based regulatory framework. SINGAPORE and the MALDIVES highlighted the Deep-Sea Biobank Initiative, and SOUTH AFRICA, ANGOLA, and others, the African Academy for Deep-sea Diplomacy.

CHILE, supported by THE BAHAMAS, ARGENTINA, and GERMANY, called for scientific evidence on environmental impacts to fulfill UNCLOS obligations to protect the marine environment. PORTUGAL and FRANCE stressed the need to strengthen investment in deep-sea science to inform decisions about ecosystems, biodiversity, and oceans' role in the climate future.

BENELUX (Belgium, the Netherlands, and Luxembourg), the COOK ISLANDS, SPAIN, GREECE, SOUTH AFRICA, the MALDIVES, the PHILIPPINES, JAMAICA, and others highlighted gender equality and women's empowerment, drawing attention to the ISA See Her Exceed (SHE) mentoring programme.

The AFRICAN GROUP, with TONGA, ARGENTINA, FIJI, TRINIDAD AND TOBAGO, SPAIN, and JAMAICA, called upon members, observers, contractors, and other eligible contributors to make voluntary contributions to the relevant **trust funds** that support the participation of members from developing countries.

TRINIDAD AND TOBAGO expressed concerns over the declining balance of the trust funds. ITALY, SAMOA, the COOK ISLANDS, ANTIGUA AND BARBUDA, and others stressed that inclusive participation is essential for balanced outcomes.

THE BAHAMAS, FIJI, TONGA, ARGENTINA, SPAIN, BANGLADESH, CÔTE D'IVOIRE, MOZAMBIQUE, PAKISTAN, MALTA, SRI LANKA, JAMAICA, ROMANIA, FINLAND, the MALDIVES, the PHILIPPINES, and others highlighted the need for **cooperation with the BBNJ Agreement**. SINGAPORE noted that such cooperation must not interfere with ISA's rules and procedures. BANGLADESH cautioned against duplication or overlaps.

GERMANY specified aligning the Mining Code with the provisions of the BBNJ Agreement. MOROCCO called for a harmonized implementation of both instruments that fully respects the ISA's mandate. BENELUX and SWITZERLAND said the BBNJ Agreement and the ISA should complement each other in the international architecture for ocean governance.

MONACO drew attention to the first meeting of the Conference of the Parties to the BBNJ Agreement, emphasizing that "this new phase of international governance should not lead to fragmentation but to strengthened cooperation." VANUATU added that "deep-sea ecosystems do not recognize institutional boundaries."

The PIF highlighted the ongoing regional Talanoa Process on deep-sea mining, a structured and inclusive dialogue without formal negotiations. The REPUBLIC OF KOREA drew attention to a workshop to advance the REMP for the North-West Pacific Ocean held in Busan in May 2026. SINGAPORE noted it hosted a workshop on interactions between the ISA and the BBNJ Agreement in November 2025 and announced it will host a workshop on promoting efficient management of deep-sea biological samples and genetic data in areas beyond national jurisdiction in 2027.

MOZAMBIQUE noted its hosting of the third International "Crescendo Azul" (Growing Blue) Conference in June 2026 and its stewardship of shared fisheries. INDIA underscored the hosting of the eighth Annual Meeting of Exploration Contractors in Goa in September 2025 and drew attention to the upcoming Deep-sea Macrofauna Taxonomy School in September 2026, in Kochi, India.

ITALY highlighted its Joint Programming Initiative for Healthy and Productive Seas and Oceans (JPI Oceans) and the EU's OceanEye initiative, which aims to strengthen global ocean observations.

VANUATU called for strengthening the science-policy interface through the creation of a visible and dedicated space to address socioeconomic implications not only for land-based mineral producers, but also for other industries, such as tuna fisheries. PANAMA stressed the rights of nature.

Numerous countries, including PANAMA, SWITZERLAND, THE BAHAMAS, FRANCE, FIJI, GERMANY, GREECE, BRAZIL, GUATEMALA, FINLAND, and COSTA RICA reaffirmed their support for a **moratorium or precautionary pause** on deep-sea mining. MALAWI, MADAGASCAR, and ROMANIA noted they recently joined the call for a precautionary pause. MAURITIUS announced support for a moratorium and MOZAMBIQUE and the REPUBLIC OF THE CONGO, for a precautionary pause, bringing the total number of countries that oppose commencing commercial deep-sea mining to 46.

NAOERO noted that calls for a moratorium or precautionary pause have no basis in UNCLOS or the 1994 Agreement, adding that the precautionary approach is not a license for indefinite prohibition of deep-sea mining. They also reflected on the Seabed Disputes Chamber's Order of 18 July 2026, expressing disappointment on the way the ISA treated Naoero in those hearings and stressing their continuous contribution to ISA and the need for mutual respect.

Regarding the threat of **unilateral actions**, the AFRICAN GROUP and others stressed that no state may claim or exercise sovereignty or sovereign rights over any part of the Area or its resources, nor may appropriate any part thereof except in accordance with Part XI of UNCLOS (the Area).

VANUATU emphasized that no state or corporation should exploit deep-sea mineral resources outside the legal framework of the Convention. SAMOA added that unilateral actions raise legal and political risks for the Authority's mandate. BRAZIL stressed the need to preserve the integrity of UNCLOS as a universal framework of multilateral cooperation. MEXICO said the most effective response to challenges of unilateralism is to strengthen the Authority's institutions, highlighting the need for political commitment and for ensuring a credible, transparent, and solid governance structure.

Belgium for BENELUX, SRI LANKA, and many others added that the ISA is the sole authority for managing the seabed and its resources. FRANCE noted that any activity outside its framework is against international law, and SWITZERLAND expressed concern over mining attempts outside the UNCLOS and 1994 Agreement framework. GREECE added that unilateral actions raise unprecedented legal questions, causing geopolitical uncertainty. FINLAND highlighted the collective duty to uphold the multilateral system established by UNCLOS and the common heritage of humankind.

CUBA noted it has been the victim of unilateral sanctions from the US for decades, affecting its work in the Authority, and called for respect for international standards in all fora. The US said that its embargo and related sanctions are legal and a sovereign decision.

In response, CUBA emphasized that the measures adopted by the US are not limited to its own trade relations with Cuba. They noted that they have an extraterritorial effect that affects the economic and trade relations of third-party states, companies, and financial institutions with Cuba.

The RUSSIAN FEDERATION reiterated that they do not recognize the outer limits of the extended continental shelf unilaterally established by the US in 2023, due to its inconsistency with established international practice and failure to observe the relevant procedures. They added that unilateral steps to exploit the deep seabed undermine UNCLOS and the ISA's mandate and also threaten the economic and social progress of all countries, particularly developing ones. The RUSSIAN FEDERATION called on the US to become an UNCLOS member and refrain from unilateral actions that seek to create parallel mechanisms.

The US noted that, as a non-party to UNCLOS, they are not bound by Part XI of the Convention or the 1994 Implementing Agreement. They noted that the deep seabed mining regime established by the Convention is contractual in character—it does not reflect the customary international law of freedom of the high seas, which is binding on all states, saying this existed prior to UNCLOS' adoption and remains unchanged today.

The US added that its 1980 Deep Seabed Hard Mineral Resources Act provides transparent, science-based, and risk-proportionate processes, including comprehensive stakeholder engagement, that ensure efficiency, predictability, and competitiveness for private companies while maintaining strong environmental and accountability standards for any activities that may be authorized, as well as respect for the rights of other states in the exercise of their own high seas freedoms.

They stressed that, for the US, responsible seabed mineral development is a strategic national security and economic priority, emphasizing that global demand for critical minerals is rising rapidly and diversified supply chains are necessary for geopolitical and economic stability. They noted that multilateral cooperation must deliver functional and accountable regulatory systems, adding that excessive delay or broad moratoriums carry real risks. They called for the timely completion of fair, science-based, and workable regulations that do not unfairly benefit state-subsidized enterprises. They also expressed concern about measures, domestic or international, that block companies operating under legitimate national systems, noting they undermine responsible development and reinforce concentrated control of emerging mineral markets.

The US also emphasized that they have followed UNCLOS rules in determining the extent of its continental shelf in areas beyond 200 nautical miles, noting that the limits respect its existing continental shelf boundary treaties, including with the Russian Federation. They concluded that regulatory effectiveness and operationalization must allow both exploration and exploitation to proceed responsibly to provide the legal and commercial stability, predictability, and transparency necessary for management. They added that frameworks that lag behind real world progress risk creating instability, limiting innovation, and concentrating market control.

Discussions continued on Friday, 31 July.

UGANDA noted the need to distinguish between "the collection of resources from the seabed from mining as we know it."

The REPUBLIC OF THE CONGO, joining the precautionary pause, stressed many still-existing uncertainties regarding the environmental, social, and economic risks associated with deep-sea mining, underscoring that it has not been demonstrated that mining operations can be carried out while guaranteeing effective protection of the marine environment and conservation of biodiversity.

MADAGASCAR supported a precautionary pause on deep-sea mining and stated that any decision on future deep-sea exploitation must be based on the availability of scientific knowledge as well as rigorous EIAs. Pointing to CMS COP 14 Resolution 14.6, COP 15 Decision 15.50 and their report on Impacts of deep-sea mining on migratory species: Review and knowledge gaps, CMS offered to share their expertise and knowledge.

The UN ENVIRONMENT PROGRAMME welcomed efforts to strengthen the science-policy interface, stressing their readiness to contribute to relevant efforts underway and to link the ISA with its Regional Seas Programme and other UNEP-hosted Conventions aiming to enhance coherence between multilateral regulations.

Recalling their Resolution 122(2020) supporting a moratorium, IUCN reported their assessments of deep-sea mollusks endemic to hydrothermal vents, noting that 62% are threatened with extinction due to the potential impacts of deep-sea mining, "including the remarkable scaly-foot snail."

TE IPUKAREA SOCIETY drew attention to the Eastern High Seas Pocket—a critical migration corridor for diverse species—which is the subject of a mining application by a US company. They called for development of a REMP that formally recognizes this enclave as an ISA area of particular environmental interest and for its designation as a marine protected area under the BBNJ Agreement.

Stating that deep-sea mining "meets the definition of ecocide," the OCEAN AND US stressed that deep-sea mining "is not about benefitting humankind but about expanding power through seabed grabbing in our global commons," cautioning that it will trigger a "new era of colonialism—powerful actors staking their claim to the ocean floor."

DOSI urged that gaps in knowledge be clearly communicated to allow decision-makers to know what is solidly established and what is still uncertain. They noted important uncertainties as to the spatial extension of effects, the cumulative effects of the impacts, the recuperation of ecosystems, and the effectiveness of many of the mitigation measures that are proposed.

THE CENTER FOR COMMUNITY AND OCEANIC LAW noted non-Parties' challenges to UNCLOS and the multilateral system, saying many of these challenges have originated in the lack of progress in finishing the exploitation regulations, weakening the ISA's ability to respond.

THYSSEN-BORNEMISZA ART CONTEMPORARY, supported by the MAUI NUI MAKAI NETWORK, urged including Indigenous participation, underscoring the essential role of culture in the future of seabed governance and full implementation of the UN Declaration on the Rights of Indigenous Peoples within the ISA.

GREENPEACE said corporate ambition cannot define the Pacific Islands region simply as a resource, nor legitimize destruction by considering civil society as "scenery." They stressed that the common heritage of humankind is not a "prize for first-movers but life blood to those that are there now and in the future."

The DSCC noted that the precautionary pause, moratorium, or ban on deep-sea mining is now supported by over 25% of ISA members and called for working with the BBNJ Agreement as joint stewards of the ocean rather than "destroying with one hand what the other seeks to protect."

The PEW CHARITABLE TRUSTS underscored taking the time required to determine thresholds that would determine what harm to the marine environment is permitted or prohibited, given the severe lack of science and baseline information for making evidence-based decisions. SUSTAINABLE OCEAN ALLIANCE called for a Secretary-General report that meaningfully integrates youth voices

WWF highlighted major knowledge gaps and the risk of irreversible ecological harm and serious economic loss, and, with the PEW CHARITABLE TRUSTS, SUSTAINABLE OCEAN ALLIANCE, and others, called for a moratorium or precautionary pause on deep-sea mining and for circular economy approaches.

In her response, Secretary-General Carvalho expressed appreciation for participants' support for the Secretariat's work. She highlighted priorities around capacity-building and marine scientific research, pointing to relevant ISA initiatives. She pointed to outreach activities and partnerships, including to ensure coherence and complementarity with the BBNJ Agreement.

She welcomed the guidance on strengthening the ISA's institutional capacity, thanking the Finance Committee and the Council for their diligent work on the budget, and the Assembly for its approval.

Secretary-General Carvalho reaffirmed the Secretariat's support for closer alignment with UN standards on audit and oversight procedures. She stressed that staffing actions were in accordance with the Assembly's administrative instructions and clarified the transfers from the Endowment Fund to the Partnership Fund.

SINGAPORE and JAMAICA reiterated their query on whether amendments to the staff rules were reported to the Assembly, noting that the full text of the amendments is to be reported to the Assembly at the next session.

The Assembly:
- took note of the Secretary-General's annual report;
- took note of the progress made in the implementation of the Action Plan for marine scientific research in support of UN Decade of Ocean Science for Sustainable Development;
- requested the Secretariat to continue its efforts to develop initiatives to advance research and mobilize knowledge and resources through partnerships; and
- encouraged all ISA members and others to take an active role in advancing these efforts.

Report and Recommendations of the Finance Committee

On Wednesday, 29 July, Finance Committee Chair Kenneth Wong (Canada) presented the committee's report (ISBA/31/A/10-ISBA/31/C/28) and the ISA's proposed budget for 2027–2028 (ISBA/31/A/4/Add.1-ISBA/31/C/22/Add.1).

In the ensuing discussion, delegates reaffirmed their support and respect for the Finance Committee's oversight role and its independence. Many commended the 2025–2026 budget's prudent execution and cost-saving measures in conference and interpretation services. Delegates reiterated their previous comments to the Council on, among other things:
- treatment and use of funds, underspent budget, and members with contributions in arrears, with many calling for payments in full and in time;
- the binding character of the Assembly's financial and administrative decisions, requesting the Secretariat to report at the ISA-32 Council session on measures taken to ensure full compliance;
- the proposed budget for the financial period 2027–2028, noting an increase that some delegates said is in line with the ISA's evolutionary approach;
- the need for Assembly authorization for any drawdowns from the Endowment Fund greater than USD 400,000 and for ensuring compliance going forward;
- the equitable sharing of financial and other economic benefits derived from activities in the Area, with one member reiterating their request for a dedicated agenda item on this issue;
- greater transparency in the use, transfer, and effective implementation of the voluntary trust funds;
- the financial implications of establishing the EPC;
- the need for improved transparency in recruitment procedures and establishment or termination of temporary and permanent contracts, and Assembly approval of post reclassification;
- the need for clarification on proceedings initiated by former ISA staff, suggesting designating sufficient funds for litigation costs in a dedicated budget line, in view of the 19 cases concerned, with one member calling for the Secretariat to prepare a concrete proposal for ISA-32 to decide on the most effective path forward;
- improving audit processes, including exploring the possibility of engaging the UN system auditors in the future and full access to the auditors for the Finance Committee; and
- the need for adequate time and efficient work modalities for Finance Committee meetings, transparent and timely communication with the Secretariat, and unrestricted access to all information for the Committee.

Stressing that the EPC is tasked with establishing a system to compensate developing land-based producer states whose export earnings or economies may be seriously affected by seabed mining, OCEANS NORTH drew attention to an independent consultant group's report noting that "for example, South Africa, Indonesia, the Philippines, and the Democratic Republic of the Congo each risk losing hundreds of millions of dollars in terrestrial mining tax income per year," adding that "the ISA could not fund compensation and still retain a surplus for benefit-sharing."

Pointing to an independent consultant's report on the common heritage fund, the PEW CHARITABLE TRUSTS cautioned that the reality of "states accessing funds through an application and approval process could feel very different in practice from the equitable distribution of revenues that belong to states members as of right under UNCLOS."

Chair Wong invited the Assembly to pay attention to the concerns raised regarding litigation processes. On the benefit-sharing mechanism, he affirmed that the Finance Committee will provide a synthesis of the differences between the direct mechanism and the common heritage fund for the Council's consideration at ISA-32.

The Assembly took note of the report of the Finance Committee and its recommendations.

***Final Decisions*:** In ISBA/31/A/L.2, the Assembly:
- approves the proposed budget of the Secretariat for the financial period 2027–2028 in the amount of USD 29,907,000;
- approves the proposed budget of the Enterprise for the financial period 2027–2028 in the amount of USD 794,500;
- authorizes the Secretariat to establish the scale of assessments for 2027 and 2028 on the basis of the scale used for the regular budget of the UN for the period 2025–2027;

- requests that the Finance Committee continues its work on rules, regulations, and procedures for equitable benefit-sharing and provide a presentation to the Council for its further consideration at ISA-32;
- authorizes the Secretariat to transfer between sections, subsections and programmes for 2027–2028 up to 15% of the amount of each section and subsection of the programme and submit a report to the Finance Committee on the adherence to this decision;
- reiterates the request that no reclassification decision be implemented without prior approval of the Assembly on the recommendation of the Finance Committee;
- calls on the Secretariat, in future budget proposals, to provide greater clarity and transparency in the narrative accompanying the proposed budget;
- appeals to ISA members to pay outstanding contributions;
- encourages states, civil society organizations, and other stakeholders to consider providing funding to support the costs of the reporting referred to in paragraph 51, on voluntary contributions, of the report of the Finance Committee; and
- affirms that the Finance Committee should meet for at least five consecutive working days during a budget year and that webinars should be used more frequently during informal meetings.

The Assembly requests the Secretariat to:

- explore the possibility of engaging the UN system auditors and to report thereon; and
- submit to the Finance Committee and the Assembly, four weeks before every meeting of the Finance Committee, an up-to-date staffing table, including all temporary appointments as well as a table of staff litigation and other legal proceedings.

The Assembly also requests the Secretariat to continue providing necessary administrative and technical support to the Finance Committee, by ensuring, among other things:

- appropriate facilities are available;
- prompt and transparent communication of information;
- open and collaborative engagement with the requests of the Committee;
- preparation and distribution of documents at least two weeks prior to Committee meetings; and
- regular consultation and coordination between the Secretariat and the Committee.

In the decision of the Assembly concerning a process and criteria for the implementation of Article 184 of UNCLOS (ISBA/31/A/10-ISBA/31/C/28), the Assembly:

- urges Member States to pay their assessed contributions in full, on time, and without imposing conditions, to prevent financial difficulties for the ISA;
- decides that Member States whose voting rights have been suspended under UNCLOS Article 184 wishing to request an exemption to exercise their right to vote, shall submit such a request to the President of the Assembly at least six weeks before the session of the Finance Committee; and
- urges Member States requesting said exemption to submit as much information as possible to support their request, to demonstrate that failure to make necessary payments is attributable to conditions beyond their control.

Report of the Interim Director-General of the Enterprise

This agenda item was addressed on Wednesday and Thursday, 29 and 30 July.

On Wednesday, interim Director-General of the Enterprise, Eden Charles, delivered his report on activities related to the Enterprise (ISBA/31/A/6-ISBA/31/C/23). The report's presentation is available in the relevant section of the Council's summary, along with detailed responses from members.

In the ensuing discussion, delegates reiterated previous comments on, among other things:

- the unique nature of the Enterprise's status within the institutional architecture of UNCLOS and the 1994 Agreement;
- managerial and administrative preparedness, as well as the diligent manner in which the responsibilities entrusted to the Enterprise were discharged, despite severely limited resources;
- the legal uncertainty posed until the draft exploitation regulations are adopted, and appreciation of the interim Director-General's role in their negotiation, including textual proposals;
- concern regarding areas covered in ongoing applications for mineral exploration outside the UNCLOS and ISA framework overlapping with areas reserved for the Enterprise and the risks of US unilateral activities undermining developing countries' participation in activities in the Area;
- the interim Director-General's partnerships, including a joint paper with a university in the UK to clarify the definition of "contractor," and work to define sound commercial principles;
- further discussions on potential joint venture arrangements, with some noting that joint ventures constitute one of the triggers for the Enterprise's independence and encouraging the interim Director-General to continue exploring modalities for partnerships;
- the interim Director-General's efforts on capacity-building, including participation in relevant workshops, and technology transfer to better understand the work of the Enterprise and participate in activities in the Area;
- the need to urge Member States to continue providing political and commercial backing to ensure that the Enterprise is ready for operationalization;
- the evolutionary approach that should guide operationalization of the Enterprise until it becomes completely independent, with a regional group calling for detailed requirements for the progressive operationalization of the Enterprise;
- the full and independent functioning of the Enterprise as an operationalization of the principle of common heritage of humankind;
- the request for an Enterprise annual roadmap of planned activities, measurable objectives, and expected deliverables to be presented alongside the interim Director-General's annual report, in order to "to better appreciate the strategic direction of the Enterprise, provide constructive guidance where appropriate, and monitor progress towards its operational readiness";
- the need to ensure that the Enterprise and the interim Director-General receive proper institutional support and resources to discharge their functions; and
- the need to continue analyzing market conditions and metal prices.

In his response on Thursday, 30 July, interim Director-General Charles:

- requested recommendations on addressing applications for mineral exploration and/or exploitation that overlap with reserved areas;

- noted the Enterprise can already participate in joint ventures for exploration and has done so;
- encouraged the African Group to seek a joint venture with the Enterprise, given Africa's long history in mining;
- noted that, short of joint ventures, other legally binding forms of cooperation exist, including letters or memoranda of understanding;
- said additional resources would be required to produce a roadmap of activities;
- agreed on the usefulness of a longer analysis of raw metal market conditions, lamenting the Enterprise' inadequate budget;
- noted that already-existing definitions of sound commercial principles in international law might be used in the absence of an agreed ISA definition if they do not conflict with UNCLOS, and encouraged recommendations;
- highlighted already-existing benchmarks on the precautionary approach, including: the environmental provisions in the draft exploitation regulations; the provision subjecting the Enterprise to the same EMMPs as private contractors; the prohibition on the Enterprise entering a joint venture with any entity that does not address environmental protection; and the fact that any activity the Enterprise undertakes will be put to the Council and Assembly; and
- noted that budgetary matters regarding the Enterprise, including for institutional capacity-building, are the purview of the Assembly.

The Assembly took note of the report.

Periodic Review of the International Regime of the Area

On Thursday, 30 July, President Whitehead presented this agenda item, reminding delegates of:

- the 2023 Council decision (ISBA/28/A/16), which placed the periodic review on the agenda;
- the Finance Committee's recommendations during ISA-29 on the budgetary implications pertaining to the undertaking of a second periodic review (ISBA/29/A/9-ISBA/29/C/20); and
- the discussion in the Assembly during ISA-30, with delegates unable to reach consensus on conducting the review and deciding to defer consideration to ISA-31.

President Whitehead noted that, following disagreements on the draft decision discussed in previous sessions, no draft decision was developed for this session.

South Africa for the AFRICAN GROUP, GERMANY, BELGIUM, FRANCE, COSTA RICA, SWITZERLAND, FINLAND, GREECE, MALTA, the PHILIPPINES, BRAZIL, the UK, ITALY, CANADA, AUSTRALIA, GUATEMALA, CHILE, the COOK ISLANDS, ZAMBIA, BANGLADESH, and the REPUBLIC OF THE CONGO supported initiating the review process. They cited UNCLOS Article 154 (Periodic review), stressing it mandates a periodic, five-year general review by the ISA Assembly to evaluate how the international legal regime of the Area has functioned in practice, noting that such review is long overdue. They emphasized the periodic review is non-discretionary and constitutes an integral part of the institutional balance.

They underscored that the review offers a vital opportunity to strengthen the ISA, enhance the effectiveness of its governance structure, streamline operations, and enhance transparency, accountability, and mutual trust. They pointed to significant developments and unforeseen challenges since the last periodic review that need to be assessed together with existing working methods that cannot cope with tight deadlines and urgent situations.

Recognizing that UNCLOS provides for the periodic review, CHINA, JAPAN, INDIA, and the RUSSIAN FEDERATION emphasized that initiating it at this time would divert time, as well as human and financial resources, from the negotiations on the draft exploitation regulations, which is the main task at hand. They stressed the need to develop a clear understanding of the purpose of the review before deciding to embark on such an endeavor. They emphasized that new organs and mechanisms envisaged under the exploitation regulations should be established prior to the periodic review and added that there is no allocation in the 2027–2028 budget for conducting the review.

NORWAY called for carefully considering the timing of the periodic review, stressing, with the COOK ISLANDS and others, the budgetary implications and noting that finalizing the exploitation regulations remains the priority.

GERMANY noted that the periodic review would not distract from urgent work on the Mining Code, stressing that the Council can focus on the draft exploitation regulations while the Assembly conducts the periodic review. CANADA and the UK supported a transparent, inclusive, and independent assessment of the ISA's performance, suggesting further discussion on the modalities. ITALY called for clarifying the financial implications of conducting the periodic review.

GREENPEACE, also for the MAUI NUI MAKAI NETWORK, stressed that periodic review is a legal obligation, noting the last one was a decade ago, and multilateralism is now under threat, with the public perception of the ISA damaged by its weak response to unilateral mining outside its framework. WWF called on states to assess the ISA's compliance with its obligations under UNCLOS, including transparency, accountability, and inclusivity.

The INTERAMERICAN ASSOCIATION FOR ENVIRONMENTAL DEFENSE, on behalf of the DSCC, the PEW CHARITABLE TRUSTS, and OCEANS NORTH, queried the ISA's ongoing "business as usual," including closed-door decision-making and hindrance of NGO participation. They noted the Authority's current resource crisis and underscored that it cannot pick and choose which UNCLOS provisions to follow.

OPUS OCEANI, supporting Japan, observed there is no meaningful regime to review without adoption of a Mining Code, and a review would consume time and resources and conflict with the core mandate to complete the Mining Code, leaving other actors free to act unilaterally.

President Whitehead noted lack of consensus and suggested deferring the Assembly's consideration of the periodic review to ISA-32. He recommended informal discussions with a view to tabling a draft decision at ISA-32, focusing on: the review's scope, methodology, resource requirements, and budget; the review of separate topics such as the common heritage of humankind principle and its implementation; the robustness of the ISA rules, regulations, and procedures; and working modalities of ISA organs.

The Assembly deferred the consideration of the periodic review to ISA-32.

Consideration of a Request for an Advisory Opinion from ITLOS

This agenda item was discussed on Thursday and Friday, 30–31 July.

On Thursday, Secretary-General Carvalho introduced the document (ISBA/31/A/8), including a draft decision containing three non-exhaustive questions on:

- whether the principle of non-appropriation has acquired the status of customary international law;
- the legal nature, scope, and extent of ISA members' obligations not to recognize any claim of sovereign rights over the Area or appropriation of its resources; and
- the legal nature, scope, and extent of members' obligations not to recognize any claim, acquisition, or exercise of rights with respect to the minerals recovered from the Area.

Many supported in principle the idea of a request for an advisory opinion, noting that advisory opinions are important institutional mechanisms to assist the ISA and its organs in addressing complex legal questions. They emphasized, however, the need to clarify the process and refine the content of such a proposal through state-led consultations.

South Africa, for the AFRICAN GROUP, noted that seeking advisory opinions should be viewed as a legitimate means to obtain guidance on questions with direct implications for the effective implementation of UNCLOS. They stressed the need for members to reflect not only on the legal questions, but also on the broader strategic implications of such a request for an advisory opinion.

Many, including the AFRICAN GROUP, NEW ZEALAND, SINGAPORE, NORWAY, TONGA, FRANCE, GHANA, JAMAICA, KENYA, CANADA, and the PHILIPPINES, drew attention to the need for careful Council consideration of the matter, with some specifying consideration both from a legal standpoint and on specific questions. Some noted that a request to the ITLOS Seabed Disputes Chamber should not undermine the ISA's mandate nor interfere with the ongoing work on the exploitation regulations.

SINGAPORE regretted that the relevant note by the Secretary-General and draft decision were not circulated earlier, noting the lack of sufficient time to refine the scope and the questions. ANTIGUA AND BARBUDA added that an overly narrow opinion could undermine the ISA's authority and its members' interests. UGANDA, GHANA, and MALAWI supported allowing states to continue consultations through an appropriate process. ARGENTINA cautioned that the questions as presented could be considered too broad and inappropriate from a legal standpoint.

The UK urged further discussion on what actually needs clarification and on how this could divert time and resources from other work. NEW ZEALAND, NORWAY, CANADA, AUSTRALIA, the PHILIPPINES, and others emphasized that this should be a members-led process. The PHILIPPINES stressed the need to develop broad political consensus on concrete legal questions, and AUSTRALIA noted that the necessity of an advisory opinion had not been considered, let alone its content. MEXICO stressed developing a proposal as broadly acceptable as possible, cautiously, to preserve the integrity of UNCLOS, the 1994 Agreement, and the common heritage of humankind principle, and provide a prudent, legally solid result.

TONGA opined that it "may be too soon" to adopt the proposed decision. BRAZIL noted that the draft decision is not sufficiently mature to be adopted and called for further discussions. GREECE and ROMANIA supported further deliberations before submitting the request, with ROMANIA adding that advisory proceedings should not be used as excuses to avoid existing obligations.

GERMANY stressed that protecting the legal framework established by Part XI as the common heritage of humankind is of utmost importance, noting that an advisory opinion could be useful. They suggested further discussion on the content and legal implications of the questions. SWITZERLAND proposed refining the questions with legal precision, alongside further discussion on the scope of the advisory opinion to be requested. INDONESIA suggested further consultations and a clear formulation of the questions, also addressing potential legal consequences outside the UNCLOS legal framework.

The RUSSIAN FEDERATION supported requesting an advisory opinion, stressing that actions by the US: undermine the Authority's authority under UNCLOS; bypass other international legal norms; and threaten the principle of the common heritage of humankind.

CHINA supported the request in principle and suggested querying:

- whether a non-state party to UNCLOS violates international law if they take unilateral actions in the Area;
- the consequences for states that violate their national law;
- the actions that the ISA may take in response to unilateral actions; and
- the necessary and appropriate measures that states may take.

CHINA and the RUSSIAN FEDERATION added that discussions should continue intersessionally and at ISA-32 if consensus cannot be reached. MALAWI urged placing this item on the ISA-32 agenda as a matter of highest priority.

GREENPEACE stressed that the common heritage of humankind is under threat from rogue actors seeking to exploit deep-sea resources unilaterally, noting that an advisory opinion may be useful on appropriate measures to be taken collectively. The CENTER FOR COMMUNITY AND OCEANIC LAW expressed concern regarding the framing of the questions.

DSCC emphasized that ISA Member States should treat the implementation of both UNCLOS Articles 137 (Legal status of the Area and its resources) and 139 (Responsibility to ensure compliance and liability for damage) as a top priority to stop unlawful unilateral mining before it starts. They added that a request for an advisory opinion must not be used for ISA members to postpone national measures to prevent their citizens and companies from engaging in unlawful seabed mining activities in the Area, but it could focus on the powers available to the ISA, including the establishment of a blacklist of companies involved in illegal activities.

OPUS OCEANI noted that this item should never have been placed on the agenda, noting it leads to politicization and isolation of one country.

Responding to delegates' questions on Friday, 31 July, ISA Legal Counsel Steven Dietrich noted that:

- the legal basis for the Secretary-General's request for inclusion of the item on the Assembly's agenda is rule 10.g of the Assembly's rules of procedure, which notes that the provisional agenda of a regular Assembly session shall include items that the Secretary-General deems necessary to put before the Assembly;
- the accompanying explanatory note was prepared by the ISA Office on Legal Affairs, with the questions aiming to assist members to identify the legal issues that may arise should the Assembly decide on requesting an advisory opinion, not to prejudge the Assembly's deliberations or decisions;

- the phrase "within the scope of the activities in Article 191 (Advisory opinions)" refers to the functions and competencies entrusted to the Assembly and Council according to UNCLOS Articles 160 (Powers and functions of the Assembly) and 162 (Powers and functions of the Council); and
- the request was presented only to the Assembly because Article 191 authorizes either the Assembly or the Council to request an advisory opinion, and whether the Assembly should ultimately request such an opinion is its own procedural and institutional decision.

President Whitehead reiterated there is no consensus on the draft decision, noting that all interventions will be reflected in the President's statement. He suggested, and delegates agreed to, intersessional work, facilitated by Malta, aiming to draft questions for Parties to comment on intersessionally. President Whitehead added that all views will be reflected in a compilation—which will not lead to recommendations and will not prejudge any matter, including the necessity of an advisory opinion—for consideration at ISA-32.

Ensuring Adequate Scientific Understanding to Support Informed Decision-Making

This agenda item was proposed by Vanuatu with the aim to "identify priority scientific knowledge gaps and options for a transparent process through which the adequacy of the scientific evidence base may be considered." It was introduced on Monday, 27 July, and was discussed informally throughout the week.

On Friday, 31 July, Vanuatu summarized the informal discussions, highlighting:

- the distinction between "best available science" and "sufficient scientific evidence";
- important scientific gaps exist and the need to understand their nature, significance, and implications for informed decision-making; and
- the respective roles of the LTC, Council, and Assembly regarding technical and scientific work.

VANUATU expressed satisfaction with the substance and direction of the informal debate, despite the fact that delegates did not reach consensus. They stated they will continue intersessional work, including on potential impacts of deep-sea mining on tuna fisheries and on how Indigenous knowledge systems are understood, respected, and engaged in the work of the ISA. They noted that progress achieved provides a strong foundation for continuing intersessional work.

ROMANIA, FRANCE, GERMANY, PANAMA, the UK, FINLAND, BRAZIL, PAKISTAN, and others congratulated Vanuatu, emphasizing the need for strong scientific foundations prior to commencing exploitation activities in the Area, and looked forward to intersessional work.

WWF, GREENPEACE, the DSCC, and DOSI welcomed the proposal and highlighted significant knowledge gaps, adding that the best available scientific information indicates severe and potentially irreversible impacts to deep-sea ecosystems. They emphasized that any decision must be grounded on a scientific evidence base that is sufficient, guided by precaution, and driven by the rule of law and the protection of the environment. They urged an open, transparent, and independent dialogue between the ISA and the scientific community.

OPUS OCEANI noted that certainty is always absent in science, which means scientific ideas can be overturned and proven false. PAKISTAN responded that this does not negate the importance of science.

President Whitehead noted that the issue will be revisited at the next Assembly session.

Election to Fill the Vacancies on the Council

On Friday, 31 July, President Whitehead invited delegates to elect 18 members for the ISA Council for a four-year term beginning 1 January 2027, introducing the relevant documents (ISBA/31/A/CRP.1 and CRP.2). Members elected the nominated candidates by acclamation.

Final Decision: In the final decision (ISBA/31/A/CRP.3), the Assembly elects the following members for a four-year term, unless otherwise noted:

- Group A (major consumers or major net importers): Italy and the Russian Federation, with the understanding that Italy will relinquish its seat to Norway for 2027 and would relinquish its seat in favor of the US, if the US becomes an ISA member;
- Group B (major investors): France, Germany, and the Republic of Korea, with the understanding that France and Germany will relinquish their seats to the Netherlands for 2028 and 2029, respectively;
- Group C (major producers and net exporters): Australia and Chile;
- Group D (group of special interests): Jamaica, Naoero, and Zimbabwe, with the understanding that Naoero will relinquish its seat to Fiji for 2029 and 2030; and
- Group E (members of the regional groups): Cameroon, Côte d'Ivoire, Ghana, Indonesia, Kenya, Mexico, Singapore, and Tonga, with the understanding that Cameroon will relinquish its seat to Nigeria for 2028, 2029, and 2030, Côte d'Ivoire will relinquish its seat to Cameroon for 2029 and 2030, Ghana will relinquish its seat to Côte d'Ivoire for 2029, Indonesia will relinquish its seat to Pakistan for 2028, Kenya will relinquish its seat to Sierra Leone for 2030, and Tonga will relinquish its seat to Kiribati for 2029 and 2030.

Other Matters

On Friday, 31 July, President Whitehead introduced a note by the Secretariat on the Provisional Measures Orders prescribed by the Seabed Disputes Chamber of the ITLOS on 18 July 2026 (ISBA/31/A/11). The Assembly took note of the document.

Delegates also discussed the accuracy of a paragraph contained in the statement of the Assembly's President at ISA-30 (ISBA/30/A/14), which indicated, among other things, agreement in informal discussions that contractors could participate at ISA-32 as observers in their individual capacity and not be treated differently from other stakeholders.

JAMAICA, also for THE BAHAMAS, GRENADA, and TRINIDAD AND TOBAGO, supported by ANTIGUA AND BARBUDA, commended Ambassador Gardiner for his steady guidance and leadership during the 30th session. They cautioned that the suggestion that he acted otherwise or without approval of the Assembly "has no basis," expressing "profound disappointment in that affront." SINGAPORE added their commendation to the immediate past president and bureau for their leadership of ISA-30, expressing full confidence in the accuracy and transparency of the ISA-30 documents.

President Whitehead stated that he had reviewed the ISA-30 transcript and considered the text accurate, expressing disappointment at insinuations against Ambassador Gardiner. He lamented that this controversy now requires him to allow a lengthy period for comment by all Member States on his draft statement from ISA-31 before issuing the final version.

Closing Plenary

On Friday, 31 July, President Whitehead announced that the 32nd Annual Session of the Assembly will convene from 26-30 July 2027.

JAMAICA, as host, extended deep appreciation to members for the constructive spirit of the ISA-31 discussions, saying that "in an era where global cooperation is often tested, the Authority is a beacon of what can be achieved with wisdom and foresight," and calling on everyone to manage the deep sea together for the benefit of humankind.

Secretary-General Carvalho thanked all participants for their active engagement and encouraged them to uphold the spirit of cooperation and mutual respect that has long defined the Authority's endeavors.

Assembly President Whitehead thanked all delegates for "a productive session during which we adopted many positive decisions" and gaveled the meeting to a close at 5:29 pm.

A Brief Analysis of the Meetings

The deep ocean remains largely unknown. Beyond its intrinsic value, embedded in the beliefs of multiple Indigenous Peoples and local communities, the ocean plays a fundamental role in climate regulation, food security, and livelihoods, is home to countless creatures, and holds resources that benefit humanity.

At the same time, the international community's attention to the deep sea continues to grow, and with it, the diverse range of topics and issues that the International Seabed Authority (ISA) must address in an already demanding multilateral landscape.

The divides among states are well known. One side advocates the prompt adoption of regulations that would enable a transition from deep-sea mining exploration to exploitation. The other side urges a precautionary approach. They suggest avoiding a rush to commercial exploitation until a robust, enforceable Mining Code is in place—one that is grounded in scientific evidence and fully considers environmental, economic, and sociocultural impacts and risks, such as on underwater cultural heritage.

The challenge of extracting deep-sea mineral resources without causing serious environmental harm, and under a system that ensures the benefit of all humankind, remains a difficult barrier to overcome. Much remains to be studied and understood, and the existence of massive gaps in deep-sea science and knowledge does not ease the monumental task entrusted to the ISA.

This brief analysis examines the complexities and controversies that emerged at the ISA Council and Assembly sessions. It first examines the complexities in the continued development of exploitation regulations, looking at some areas where delegates made progress, and those still outstanding. It then examines some of the controversies, including on: the working modalities of the meeting; the orders issued by the Seabed Disputes Chamber (the Chamber) of the International Tribunal on the Law of the Sea (ITLOS) regarding two cases against the ISA; and the possibility of requesting an advisory opinion from the ITLOS Chamber on the potential legal implications of mining activities outside the UN Convention on the Law of the Sea (UNCLOS) framework. It concludes with a look ahead to the ISA's path forward.

Regulatory Complexities

The Mining Code has been under development by the ISA Council for many years. The discussions during the second part of the Council's 31st session reflected a continuing diversity of topics and views. While the list of outstanding issues remains extensive, progress was achieved in some areas, including whistleblowing and effective control.

Proposals for references to whistleblowing and protection against retaliation in the exploitation regulations emerged a few sessions ago. They gained momentum quickly as whistleblowing came to be understood as a matter of institutional governance and integrity. Accordingly, the Council considered a draft proposal for a general policy applicable to the ISA as a whole, rather than embedding whistleblowing provisions solely in the exploitation regulations. Despite general support, the proposal still requires refinement in terms of its scope, procedures, and language. Nevertheless, for many this represents a significant step forward, particularly in terms of the credibility of the ISA and the management of conflicts of interest.

Some also noted a breakthrough regarding effective control, which relates to the relationship between a sponsoring state and a mining contractor in terms of power and decision-making. "Effective control" is not defined in UNCLOS or the 1994 Agreement, and its definition remains under discussion in the ISA negotiations. After several sessions of largely inconclusive debates, including over whether this concept should be understood from an "economic" or "regulatory" perspective, delegates made progress by approaching the discussion from a "factual" standpoint. While discussions will continue intersessionally, essential concepts appear to be gaining clarity, from the definition and scope of effective control, its legal basis and relevance, to the role of the Legal and Technical Commission (LTC) and the powers of potential effective controllers.

Other discussions continue to be complex and challenging, among them the quantification of environmental costs—particularly regarding the internalization of environmental externalities generated by mining activities in the Area. While some believe it is possible to develop methodologies to calculate these externalities, others caution that this effort is premature, especially given the high levels of uncertainty that continue to surround deep-sea ecosystems and the potential impacts of mining activities in the Area. "How can we quantify what we do not yet know?" pointed out an observer.

On top of that, at this session, some began to anticipate difficulty in achieving a sound benefit-sharing mechanism if exploitation earns the ISA "little money," as a delegate noted. To this one must add the need to compensate land-based producer states whose economies will be heavily affected by deep-sea mining. Such a mechanism or fund would be necessary to ease concerns expressed in the corridors on whether it is "worth risking the incomes of land-based mining states based solely on uncertainties and known irreparable seabed damage?"

In addition to financial issues, other topics require further work. These include the rights and obligations of coastal states, anti-monopolization provisions, environmental goals and objectives, and the standards and guidelines that will accompany the regulations. If one adds to this all the institutional arrangements that need to be in place, such as the full operationalization of the Economic Planning Commission and the Enterprise, ISA's commercial arm, delegates have a full plate.

Working and Institutional Controversies

In the ISA there are multiple layers of complexity. The members must not only ultimately agree on what the ISA needs to regulate, and how—as in the Mining Code—but, before that, they must agree on the process for getting there. External events may also affect both how the Authority proceeds as well as the potential legal implications for implementation. Controversy can exist at all of these levels.

Challenges around the process, or working modalities came under scrutiny at this Council session. Many members welcomed progress achieved intersessionally through Informal Working Groups and Friends of the President meetings to resolve pending issues and bridge divisions. Nevertheless, the in-session informal discussions generated some unease, given the late commencement of several informal meetings and the insufficient time remaining, as a result, to reach full consensus. Numerous members and observers expressed dismay that several decisions gaveled through in the last hour of the session were never discussed in the plenary, only in a few long closed-door informal meetings. The decision on the reports of the LTC Chair is one significant example. An observer said the "normalization of closed-door meetings for decision-making that ultimately affects the future of humanity's common heritage" is a serious concern.

While "lessons can be drawn to improve working modalities," as the Council President noted, additional challenges regarding contractor compliance and the threat of unilateral mining introduce unprecedented controversies for the ISA. Following up on a 2025 Council decision, the Secretary-General wrote to 21 contractors on 15 January 2026, requesting information on any incidents or circumstances that could lead to non-compliance. This was to include information on contractual obligations to act in accordance with the multilateral legal framework established by UNCLOS and the 1994 Agreement, as well as to comply with ISA rules and the decisions of its organs, and accept control by the Authority of activities in the Area.

All contractors indicated no such incidents. Two of them stressed that, in their view, the Council's decision and the Secretary-General's Circular requesting such information were unlawful. They pointed out that there was already an established process administered by the LTC for monitoring contractors' compliance.

At the end of May 2026, Nauru Ocean Resources Inc. (NORI) and Tonga Offshore Mining Limited (TOML) presented to the Chamber of ITLOS a request for the prescription of provisional measures against the ISA, including suspension of the inquiry regarding the "alleged possible non-compliance." On 18 July, while the Council was meeting, the Chamber issued its orders. While the overall legal procedure is ongoing, the Chamber's orders requested the ISA to clarify or provide NORI and TOML with information on the procedures that led to the inquiry. The Chamber also instructed the parties to "cooperate and refrain from any action that might lead to aggravating the dispute."

Following the Chamber's instructions, delegates refrained from discussing the substance of the controversy. Many emphasized that due process is essential, and its clarity is key to proper fulfillment of functions and responsibilities, both for contractors and the ISA. Nevertheless, this development raised questions regarding the ISA's power to establish control and administrative oversight mechanisms for contractors and on links to efforts to pursue unilateral mining.

Such a link was brought to the fore during an observer's intervention. Greenpeace raised the alarm and questioned whether good faith has been upheld in fulfilling NORI's exploration plan of work. They pointed out that "the resource data and environmental characteristics that TMC's subsidiaries have collected in the application area informed TMC US's exploration plan," stressing that the only contractors with legitimate rights to explore the area in the application were the TMC subsidiaries. Thus, they said, NORI and TOML collected data under their ISA exploration contract that directly informed TMC USA's applications to the US's regulatory body.

Much was said about potential unilateral mining endeavors during the meetings. The recent controversy was fueled by the US Executive Order, "Unleashing America's Offshore Critical Minerals and Resources," signed on 24 April 2025. Its aim is to bolster US leadership in deep-sea mineral development and secure the domestic supply of key minerals, thereby minimizing strategic dependence on other states, which are often geopolitical rivals.

The Executive Order goes further than accelerating the granting of permits for mining operations on the US continental shelf. It also addresses the process for reviewing and issuing seabed mineral exploration licenses and commercial recovery permits in areas beyond national jurisdiction under the Deep Seabed Hard Mineral Resources Act. This Act, largely dormant since 1980, is currently under an active review process.

Many members stressed that any unilateral activities fall outside international law. They highlighted UNCLOS as a key pillar of international law and the multilateral system, and a cornerstone of ocean governance, and reaffirmed their support to the Authority's exclusive control over all activities in the Area.

In response, the US stated that the applications they have received are fully compliant with applicable requirements. They added that the Federal Register Notices published are not application approvals nor an indication of any position of the US government on granting a license for exploration, and that, to date, no applications have been approved.

That, however, did not stop discussions on requesting an advisory opinion from the ITLOS Chamber on the legal implications of deep-sea mining activities outside the ISA framework. While there was general consensus on the gravity of the situation and unwavering support for UNCLOS, members were unable to reach consensus, with differences emerging both on substance and procedure. Discussions will continue intersessionally.

Many participants expressed broader concerns over threats of unilateral actions. "Potential legal consequences are definitely important and we should discuss them, but there's more to this; unilateral mining in the Area may lead to geopolitical chaos," one said. "Just imagine what free-for-all mining in the global ocean would mean in the real world," added another, pointing to overlapping claims, regulatory mayhem, and a race to the bottom on environmental standards. Above all, such a development would be a direct violation of UNCLOS and international law and would mean that the principle of the common heritage of humankind, "one of the boldest ideas in modern international law" in the words of ISA Executive Secretary Leticia Carvalho, would be thrown out the window.

The Way Forward

Delegates agree that the development of the exploitation regulations is itself a demanding task, and that much needs to be done before a robust Mining Code can be concluded. Intense intersessional work organized thematically has proven effective and is expected to continue to assist in the development of the regulatory framework.

Broader policy developments also need to be considered. With the historic first meeting of the Conference of the Parties of the Agreement on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ Agreement) scheduled for early 2027, the need to promote coherence and coordination between these instruments is paramount, with some delegates pointing to the need to harmonize requirements on environmental impact assessments.

The future cannot be predicted, but the ISA and its Member States must engage in demanding and sometimes uncomfortable conversations to resolve all outstanding differences and deliver a complete, transparent, and enforceable regulatory framework for conducting activities in the Area. Upon the conclusion of the ISA's 31st annual session, some queried whether it is possible that commercial deep-sea mining will commence without a multilaterally agreed, robust regulatory framework in place. Responding to this question on his way out of the ISA's Headquarters in Kingston, Jamaica, a veteran ISA delegate was cautiously pessimistic: "While such a development would be inconceivable some years ago, it can no longer be ruled out." In either case, future developments, including decisions by the ISA, will ultimately decide whether the ocean's integrity will be safeguarded for generations to come.

Upcoming Meetings

CBD SBI-7: The seventh meeting of the Subsidiary Body on Implementation (SBI) of the Convention on Biological Diversity (CBD) will review implementation of the CBD in advance of the next meeting of the Conference of the Parties (COP). **dates**: 4–12 August 2026 **location:** Nairobi, Kenya **www:** cbd.int/conferences/nairobi-2026

55th Pacific Islands Forum (PIF) Leaders Meeting: PIF Leaders will convene in Palau under the theme, "Building Economies: Life. Action. Unity," to develop collective responses to regional issues and deliver on a vision for a resilient Pacific Region of peace, harmony, security, social inclusion, and prosperity. **dates:** 30 August – 4 September 2026 **location:** Palau **www:** forumsec.org/events/pacific-islands-forum-leaders-meeting

70th Meeting of the International Whaling Commission (IWC70): The IWC is responsible for management of whaling and conservation of whales. The IWC work programme now also includes bycatch and entanglement, ship strikes, ocean noise, pollution and debris, and sustainable whale watching. **dates:** 27 September – 2 October 2026 **location:** Hobart, Australia **www:** iwc.int/events-and-workshops/iwc70-2026

2026 Arctic Circle Assembly: The largest annual gathering on Arctic affairs focuses on the future of the Arctic and our planet, addressing a range of topics, from science to governance and security. It brings together governments, the private sector, civil society, academia, and other stakeholders. **dates:** 8–10 October 2026 **location:** Reykjavík, Iceland **www:** arcticcircle.org/assemblies/2026-arctic-circle-assembly

UN Biodiversity Conference (CBD COP 17): The 17th meeting of the Conference of the Parties to the Convention on Biological Diversity will assess implementation of the Kunming-Montreal Global Biodiversity Framework and continue negotiations on biodiversity conservation, finance and implementation. **dates:** 19–30 October 2026 **location:** Yerevan, Armenia **www:** cbd.int/conferences/2026

UN Climate Change Conference (UNFCCC COP 31): The 31st session of the Conference of the Parties to the UN Framework Convention on Climate Change will advance implementation of the Convention and the Paris Agreement, including mitigation, adaptation, finance and transparency. **dates:** 9–20 November 2026 **location:** Antalya, Türkiye **www:** unfccc.int/cop31

BBNJ Agreement COP1: The first meeting of the COP to the BBNJ Agreement is expected to address institutional and financial arrangements as well as issues around marine protected areas and area-based management tools. **dates:** 11–22 January 2027 (TBC) **location:** UN Headquarters, New York **www:** un.org/bbnjagreement

32nd Session of the ISA (Part I): The first part of the 32nd session of the Council of the International Seabed Authority is expected to continue negotiations on the draft exploitation regulations and address other issues on ISA's agenda. **dates:** 8–19 March 2027 **location:** Kingston, Jamaica **www:** isa.org.jm

32nd Session of the ISA (Part II): The second part of the 32nd session will include meetings of the ISA Council and Assembly and is expected to continue work on the draft exploitation regulations for deep-sea mining. **dates:** 12–30 July 2027 **location:** Kingston, Jamaica **www:** isa.org.jm

For additional upcoming events, see: sdg.iisd.org

Glossary

1994 Agreement	1994 Implementing Agreement Relating to the Implementation of UNCLOS Part XI (the Area)
Area	Seabed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction
BBNJ Agreement	Agreement under UNCLOS on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction
CMS	Convention on the Conservation of Migratory Species of Wild Animals
DSCC	Deep Sea Conservation Coalition
EIA	Environmental impact assessment
EMMP	Environmental management and monitoring plan
EPC	Economic Planning Commission
FoP	Friends of the President group
IMO	International Maritime Organization
IRZs	Impact reference zones
ISA	International Seabed Authority
ITLOS	International Tribunal for the Law of the Sea
IWG	Informal working group
LTC	Legal and Technical Commission
PM	Pilot mining
PIF	Pacific Islands Forum
PoW	Plan of work
PRZs	Preservation reference zones
REMPs	Regional environmental management plans
TM	Test mining
UCH	Underwater cultural heritage
UNCLOS	UN Convention on the Law of the Sea