



## Council

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### Seventeenth session

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### **Decision of the Council relating to a request for approval of a plan of work for exploration for polymetallic nodules submitted by Tonga Offshore Mining Limited**

*The Council of the International Seabed Authority, acting on the recommendation of the Legal and Technical Commission,*

*Noting* that, on 10 April 2008, a request for approval of a plan of work for exploration for polymetallic nodules was submitted to the Secretary-General in accordance with the Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area<sup>1</sup> by Tonga Offshore Mining Limited,

*Recalling* that, in accordance with paragraph 6 (a) of section 1 of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982,<sup>2</sup> the processing of an application for approval of a plan of work for exploration shall be in accordance with the provisions of the Convention, including annex III thereto, and the Agreement,

*Recalling also* that, pursuant to article 153, paragraph 3, of the Convention<sup>3</sup> and paragraph 6 (b) of section 1 of the annex to the Agreement, the plan of work for exploration shall be in the form of a contract concluded between the Authority and the applicant,

*Reaffirming* the obligations of contractors with the Authority to comply fully with the terms and conditions of the contract, including the reporting of environmental data and actual and direct exploration expenditures in accordance with the Regulations and the standard terms of contract,

*Noting* the Advisory Opinion of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea of 1 February 2011,

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<sup>1</sup> ISBA/6/A/18, annex.

<sup>2</sup> General Assembly resolution 48/263, annex.

<sup>3</sup> United Nations, *Treaty Series*, vol. 1833, No. 31363.

1. *Notes* the report and recommendations of the Legal and Technical Commission on the request for approval of a plan of work for exploration for polymetallic nodules submitted by Tonga Offshore Mining Limited transmitted to the Council,<sup>4</sup> in particular its paragraphs 19 and 32 to 35;

2. *Approves* the plan of work for exploration for polymetallic nodules submitted by Tonga Mining Offshore Limited;

3. *Requests* the Secretary-General of the Authority to issue the plan of work for exploration for polymetallic nodules in the form of a contract between the Authority and Tonga Offshore Mining Limited in accordance with the Regulations.

*168th meeting  
19 July 2011*

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<sup>4</sup> ISBA/17/C/10.