

Consultation on the second draft Strategic Plan for the International Seabed Authority for the five-year period 2024-2028 (ISBA/28/A/7).

Please find here below Ifremer's comments on ISBA/28/A/7, Annex I "Draft Strategic Plan for the Authority for the Period 2024-2028":

- **Para. 4. (c):** The addition of "for exploitation activities in the Area" only describes an aspect of the rules, regulations and procedures that the Authority has to adopt. Indeed, the Authority also has to adopt rules, regulations and procedures related to the environmental management of the Area, to the Equitable sharing of the financial and non-financial benefits derived from activities in the Area, etc. We therefore suggest keeping the wording contained in Draft 1 (open for consultation from 26 May to 26 June 2023) and to delete the terms "for exploitation activities in the Area". Otherwise, all the other rules, regulations and procedures would also need to be listed here which would be redundant with other paragraphs of this draft strategic plan (including for exploitation activities for which the adoption of rules etc. is already mentioned in later paragraphs of the document).
- **Para. 8.:** The text "provides for a payment regime that treats fairly contractors, the Authority and all humankind" is ambiguous in what is meant by treats fairly contractors and is in part redundant with the rest of the text at the end of the paragraph related to the "equitable sharing of ...". We suggest amending as follow:
"provides for a payment regime that treats contractors in a uniform and non-discriminatory manner, ensures optimum revenues for the Authority from the proceed of commercial production (Convention Annex III, art. 13.1(a)), ensures that contractors moves from exploration to exploitation in a lawful manner, and ensures the equitable [...]".
- **Para. 16:**
 - In this paragraph, the key aspect is the gaps in scientific knowledge. "Technical" uncertainty is also relevant as the impacts of an exploitation is partly dependant on the actual technology that would be used. However, "commercial uncertainty" doesn't seem to be relevant in relation to achieving the effective protection of the marine environment. We therefore suggest deleting this word to have:
"The challenge for the Authority [...], under circumstances of considerable scientific and technical uncertainty".
 - The words "practical and technically feasible" could apply to other areas of the legal regime but are only used in relation to environmental protection and associated rules. This could be read as these rules being of lesser importance than others such as the ones related to exploitation. We suggest deleting these words to have:
"The framework should be effective and adaptive."
- **Para. 17 and 18:** The reference to the contribution made by the contractors to the marine scientific research in the Area is important but having such reference in both paragraphs 17. and 18. seems unnecessary. We suggest deleting the last sentence of para. 17. ("The contribution [...]and their ecosystems) and keeping the reference in para. 18. as it stands in this draft 2 of the Strategic Plan.
- **Para. 32 – SD1:** We would like to clarify the comment made on draft 1 of the Strategic plan in relation to climate change on the reduction of GHG reduction. One of the SD of this Strategic Plan (SD1 or SD8), should relate to the Environmental and Social Governance strategy of the Authority and in particular how the Authority will assess the carbon footprint of its operation

and how it will then define a reduction target and strategy to achieve this target to contribute to the Paris agreement objectives.

- **Para. 34 – SD3.1:** As per comment formulated on para. 16, "practical and technically feasible" should be deleted and the paragraph should read:
"Develop, adopt, implement and keep under review an effective and adaptive regulatory framework, based on best environmental practices, for the protection of the marine environment from harmful effects which may arise from activities in the Area."
- **Para. 35 – SD4.4:** the use of "particularly" is too narrow. We suggest replacing "particularly" with "including".