



INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
TRIBUNAL INTERNATIONAL DU DROIT DE LA MER

Press Release

NAURU OCEAN RESOURCES INC. INSTITUTES PROCEEDINGS AGAINST THE INTERNATIONAL SEABED AUTHORITY

NAURU OCEAN RESOURCES INC. ALSO REQUESTS THE PRESCRIPTION OF PROVISIONAL MEASURES

Nauru Ocean Resources Inc. (“NORI”) has instituted proceedings before the Seabed Disputes Chamber of the Tribunal against the International Seabed Authority (“the Authority”).

The Applicant contends that it is in dispute with the Authority regarding the manner by which the Authority is conducting an inquiry into NORI as a contractor allegedly requiring “specific attention” for possible non-compliance with its contractual obligations arising out of direct or indirect actions related to activities in the Area.

The Applicant states that it is a company incorporated in the Republic of Nauru and that it operates as a contractor sponsored by Nauru. It further states that it entered into an exploration contract with the Authority, which is due to expire on 22 July 2026.

In its Application, the Applicant submits, *inter alia*, that its identification by the Authority as a contractor requiring “specific attention to possible non-compliance” was taken without lawful procedural basis and in breach of due process and of the Authority’s criteria and methodology for identifying contractors at risk of non-compliance. According to the Applicant, the Authority has also breached its obligation under the exploration contract to fulfil in good faith its powers and functions. The Applicant further requests, *inter alia*, that, unless and until the alleged procedural defects of the inquiry have been remedied, the Authority be ordered not to take any decision that would have the effect of prejudging, refusing, or otherwise adversely affecting the Applicant’s application for an extension of its exploration contract.

The Application is accompanied by a request for the prescription of provisional measures under article 290, paragraph 1, of the United Nations Convention on the Law of the Sea. In the request, the Seabed Disputes Chamber is requested to order the Authority, *inter alia*, to suspend its inquiry, to refrain from taking, authorizing or permitting any steps in connection with its inquiry, and to refrain from taking any step or adopting any position that would have the effect of adversely affecting the Applicant’s application for an extension of the exploration contract.

The case has been entered in the List of cases of the International Tribunal for the Law of the Sea as Case No. 34. Pursuant to article 90, paragraph 2, and

article 115 of the Rules of the Tribunal, a hearing on the request for provisional measures will be fixed at the earliest possible date.

The Seabed Disputes Chamber is established in accordance with Part XI, section 5, of the Convention and article 14 of the Statute of the Tribunal. It is composed of 11 Judges: Judges Attard (President), Jesus, Kulyk, Kittichaisaree, Kolodkin, Lijnzaad, Duan, Brown, Caracciolo, Armas Pfirter and Joyini.

Note: The press releases of the Tribunal do not constitute official documents and are issued for information purposes only.

The press releases of the Tribunal, documents and other information are available on the Tribunal's website (<http://www.itlos.org> and <http://www.tidm.org>) and from the Registry of the Tribunal. Please contact Ms Julia Ritter at: Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany, Tel.: +49 (40) 35607-227; Fax: +49 (40) 35607-245; E-mail: press@itlos.org