

Legal considerations

This section is not intended to provide legal advice, but rather to provide examples of some common legal considerations. Please look into your own country's policies and feel free to investigate international laws and treaties yourself to verify the information found in this section. This section was also written prior to the ratification of the High Seas Treaty, which may change the way that data is collected within international waters. This section will be updated when more detailed information about these changes becomes available.

A common question regarding CSB is whether or not work of this nature requires a permit. Many countries hold to the standard that any marine research of any kind that takes place in national water (within a country's own Exclusive Economic Zone [EEZ]) must be permitted. Marine research is defined differently in each country but may involve the physical or digital collection of data. One of the ways CSB falls outside of this category is that the data is not collected intentionally, but rather incidentally. Similarly, data that is collected for personal use is permitted in most EEZs without requiring any additional permitting. It is our understanding at the time of publication that CSB data must be collected by happenstance en route to a destination for non-scientific purposes.

In other words – if a ferry transits back and forth between stops and happens to collect bathymetric data along the way, it would be considered an incidental collection while en route to a destination for an unrelated purpose, rather than being considered intentionally collected data. It should be clarified that in certain circumstances, commercial entities encounter different sets of rules regarding the dissemination of data. Data should not be contributed from any areas of national security.

Another common consideration is how CSB data is managed. As Seabed2030 is an international project collecting data from both inside and outside of several countries' EEZs, it is important to determine how to best handle this data. The current approach has been to send a circular letter around to the hydrographic offices of each country to make them aware of the CSB initiative. If a country is willing to release the data from their EEZ to be publicly available, they sign an agreement, and the data can be made available through IHO DCDB. If a country chooses not to respond, or responds negatively, the data is not released publicly.

Data within a masked or hidden region still exists and is retained, in case of the eventual positive response from a country. If a country newly signs the circular letter, data previously collected and submitted in their EEZ can be retroactively made available. The IHO maintains a document on their [website](#) that lists the acceptance of CSB activities and provision of resultant datasets in waters under national jurisdiction, which shows the current status of coastal states that have agreed to participate in this effort.

We acknowledge that at the time of publishing this first version of this document, the High Seas Treaty has recently been ratified. It remains unclear how this may affect the legality of participating in projects such as this, or if any permitting will be required. As new information

comes to light regarding this, we will continue to update this document to the best of our ability.

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