



**Intergovernmental Conference on an international legally binding instrument under the
United Nations Convention on the Law of the Sea
United biological diversity of areas beyond national jurisdiction
(General Assembly resolution 72/249)**

Agenda Item 7

Marine genetic resources, including the questions on the sharing of benefits

Statement by the International Seabed Authority

Madame Facilitator,

I make this statement on behalf of the Secretary- General of the International Seabed Authority since he had to return to Kingston.

This is the first time that the Authority intervenes on this topic. We did not speak on this matter during the Prepcom.

Our intervention will cover the question of data repositories and the possible content of a clearing-house mechanism.

Madame Facilitator,

Firstly, I will recall some comments made by the first Secretary- General of the Authority as long ago as 2002. Sixteen years ago.

I quote: "Articles 143 and 256 represent a delicate balance between opposing views on whether or not marine scientific research in the Area was to be subject to the jurisdiction and control of the Authority. While UNCLOS III was unable to reconcile conflicting views on the distinction between "fundamental" and "applied" research in the various jurisdictional zones established in the Convention, it is clear that, under article 143, marine scientific research in the Area is to be considered separate and apart from marine scientific research on the high seas and the results of such research are to be utilized for the benefit of mankind as a whole. Consequently, it will become necessary for the Authority to give more detailed consideration as to how best to realize the ideals set out in the Convention and the Agreement concerning the dissemination of the benefits of marine scientific research and technology transfer. One of the key practical questions that arises in this context is how to ensure the fair and equitable distribution of the benefits from such research without creating unreasonable obstacles to such

activities as commercial biotechnological development, and without limiting unreasonably commercial incentives, such as intellectual property rights, for work undertaken on the genetic resources of the Area.” End of quote.

Madame Facilitator,

The specific and exclusive mandate of the Authority is to manage activities related to the exploration and exploitation of the mineral resources of the deep seabed for the benefit of mankind as a whole, including by providing for the equitable sharing of financial and other economic benefits from such activities.

Those other economic benefits in this context include scientific, oceanographic and environmental knowledge gained and disseminated, as well as, samples and data made available for analysis, and new environmental technology. To implement this requirement, contractors with the Authority have an obligation to transfer data to the International Seabed Authority which then becomes the property of the Authority.

In addition, under Article 143, paragraph 2, of the Convention, the Authority is required to promote and encourage the conduct of marine scientific research in the Area and coordinate and disseminate the results of such research and analysis when available. This includes marine scientific research in relation to both living and non-living resources.

The Authority may also carry out marine scientific research in its own right as well as in cooperation with States and international organizations.

It is clear from these requirements that the Authority has an important role to play both as a global repository of data and information relating to the resources of the Area and to the marine environment and as a catalyst for collaborative research at the international level.

What is important in the context of this discussion, however, is to ensure that these data *are made easily and freely available* to the global community and that data are converted into information that is useful to policymakers and decision makers.

With this in mind, I want to mention two specific initiatives of the Authority that are designed to achieve these objectives.

First, is the Authority’s effort, in collaboration with the global scientific community, to publish definitive taxonomic atlases for the deep sea. The lack of deep-sea marine taxonomy is a major impediment for assessing deep sea marine biodiversity since existing lists of species do not provide the required information to undertake basic ecological assessment of deep-sea biodiversity. It is expected that this tool will greatly assist deep sea mining contractors and the scientific community in the assessment of the marine biodiversity of the Area.

Second, is the new database management strategy adopted by the Authority, which includes the launch of a public facing global platform for sharing and exchange of scientific data on the deep sea environment. The Authority's database will make it possible to access environmental data and information on the deep sea, which include the collected data from over thirty years of deep ocean exploration and research on the Area.

In addition to fulfilling the Authority's mandate to collect and share information for the benefit of mankind as a whole, these efforts will also help to fill existing and urgent gaps in scientific information, and also serve as a catalyst for future collaborative marine scientific research.