



EMBASSY OF THE REPUBLIC OF KOREA

KEMJM - K001/13

The Permanent Mission of the Republic of Korea presents its compliments to the International Seabed Authority and has the honour to refer to the latter's Note no. 44/13, regarding the Council's decision for Member States to submit legislation regarding Deep Seabed Activity.

The Permanent Mission further has the honour to inform the International Seabed Authority that a copy of the Status of Legislation related to the Deep Seabed Activity by the Government of the Republic of Korea is enclosed herewith. The original will be forwarded by KIOST.

The Permanent Mission of the Republic of Korea to the International Seabed Authority avails itself of this opportunity to renew to the International Seabed Authority the assurances of its highest consideration.

April 2, 2013

International Seabed Authority
Kingston, Jamaica



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Status of Legislation related to Deep Seabed Activity by the Government of the Republic of Korea

At the 18th Council meeting of International Seabed Authority (ISA), it was agreed to reflect the contents of deep seabed activity related legislation and administrative measures of each member State of the Authority on 2013 Report of Secretary-General of ISA and to establish pertinent database, and therefore in this regard member States were requested to send relevant data respectively to the Authority by March 31, 2013.

In relation to deep seabed activities, paying particular attention to the importance of marine environment as well as the seriousness of its influence, the Republic of Korea enacted the related laws, such as Ship Act, Maritime Safety Act and Marine Environment Management Act, for the purpose of the management and supervision of the acts which might have adverse effects on marine environment. And the Republic of Korea has established National Contingency and Emergency Management Plan for possible marine accidents pursuant to 1990 Oil Pollution Response Convention and domestic Act (Marine Environment Management Act).

The pertinent domestic Acts stipulates that the applicants who received the sponsorship from the Government of the Republic of Korea for deep seabed activities shall use government-owned and foreign research vessels that carry "Ship Owner's Mutual Protection and Indemnity Insurance" to ensure legal indemnity responsibilities which occur in relation to the ownership and operation of the vessels. In this regard, the Government of the Republic of Korea has secured legal ground to respond actively to marine accidents caused by exploration activities of the sponsored applicants.

As the Government of the Republic of Korea has, however, not yet enacted domestic Acts which deal with overall deep seabed activities, the Korea government performed the review on the necessity for the legislation in 2012 based on the recommending opinion of ITLOS of 2011 and the request of the 18th Council meeting of ISA (ISBA/18/C/8 and ISBA/18/C/8/Add.1).

Based on the result of the elaborated review, the Republic of Korea plans to prepare a draft bill in 2013 and to complete the process of legislation by 2014 at the latest. The Acts which are in plan will include the regulations related to the permission of deep seabed project starting from the filing of prospecting, responsibilities and obligations of project owner to be eligible for sponsorship from the Government of the Republic of Korea, the expiration of Government sponsorship, revocation of the permission of deep seabed project, and marine environment protection.

As a responsible member of international society, the Government of the Republic of Korea will try to create the legal regime so that deep seabed resources which are common heritage of mankind can be developed in responsible way as well as in the manner through which marine environment is damaged at minimum level.

March 25, 2013

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