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Consideration of requests for observer status in accordance with rule 82, paragraphs 1 (d) and (e), of the rules of procedure of the Assembly

Request for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly on behalf of the Center for Polar and Deep Ocean Development

Note by the secretariat

1. On 14 June 2017, the Director of the Center for Polar and Deep Ocean Development submitted a letter to the Secretary-General of the International Seabed Authority requesting observer status in the Assembly of the Authority. The letter and additional information provided by the applicant are contained in annexes I and II, respectively, to the present document.
2. In accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly, non-governmental organizations with which the Secretary-General has entered into arrangements in accordance with article 169, paragraph 1, of the United Nations Convention on the Law of the Sea, and other non-governmental organizations invited by the Assembly that have demonstrated their interest in matters under consideration by the Assembly, may participate as observers in the Assembly.
3. Paragraphs 5 and 6 of the same rule further provide that observers referred to in paragraph 1 (e) of that rule may sit at public meetings of the Assembly and, upon the invitation of the President and subject to approval by the Assembly, may make oral statements on questions within the scope of their activities, and that written statements submitted by observers referred to in paragraph 1 (e) of that rule within the scope of their activities that are relevant to the work of the Assembly should be made available by the secretariat in the quantities and in the languages in which the statements are submitted.

* ISBA/23/A/L.1.



Annex I

Letter dated 14 June 2017 from the Director of the Center for Polar and Deep Ocean Development addressed to the Secretary-General of the International Seabed Authority

The Center for Polar and Deep Ocean Development, Shanghai Jiao Tong University, respectfully requests that it be recognized by the Assembly as an observer to the International Seabed Authority in accordance with the provisions of rule 82, paragraph 1 (e), of the rules of procedure of the Assembly.

The Center is a research institute established in 2013 and based on the marine-related institutions of Shanghai Jiao Tong University. The Center focuses on issues related to the deep sea and the seabed, and strives to build an institute for comprehensive academic exchange and policy advice. Its multidisciplinary research base builds its strength by promoting knowledge and the concepts of the sustainable utilization of marine natural resources by conducting deep seabed mining activities under the mandate of international law using sound policy and responsible science, technology and equipment.

The Center has a strong interest in the work of the Authority and is interested in becoming an observer, given its:

- Experience in teaching and research on the legal regime of the law of the sea, the regulatory development of the Area and deep seabed mining
- Unique role in working closely with institutions in the field and providing policy options and strategic advice to China, a major contractor of the Authority, to take rational actions as a sponsoring State
- Competence in relation to the work of the Authority and its active promotion of the concept of sustainability in the exploration for and exploitation of marine natural resources, which has implications for the mining activities and resource conservation in the Area

The Center believes that it can contribute valuable perspective on implementing the legal framework of the United Nations Convention on the Law of the Sea and mining regimes in the Area and, accordingly, I request your support for our application for observer status.

(Signed) Guifang (Julia) **Xue**
Director
Center for Polar and Deep Ocean Development

Annex II

International Seabed Authority observer status request

Name of organization

Center for Polar and Deep Ocean Development, Shanghai Jiao Tong University

Addresses of office

800 Dongchuan Road, Shanghai Jiao Tong University, Minhang District, 200241, Shanghai, China

1954 Huashan Road, KoGuan Law School, Shanghai Jiao Tong University, Xuhui District, 200030, Shanghai, China

History and mission

Originally part of the Center for Ocean Law and Policy, founded in 2009 by KoGuan Law School, Shanghai Jiao Tong University, the Center for Polar and Deep Ocean Development focuses on teaching and research on the basic legal theory and State practice of the Law of the Sea, and on providing consultancy services to ocean-related governmental agencies for issues relating to ocean law, policy and management. In July 2013, amid increasing attention paid to polar and deep ocean issues, the University promoted the Center for Ocean Law and Policy at the university level as the newly adapted Center for Polar and Deep Ocean Development in order to emphasize its featured areas. As a gathering point for research platforms for and scholars of marine-related subjects within the University, the Center for Polar and Deep Ocean Development has become a multidisciplinary research base and strives to be a focal point for academic exchange, collaboration and policy advising for the marine, natural and social sciences, including marine technology, engineering and management.

Name of proposed primary representative

Guifang (Julia) Xue

Chair Professor, KoGuan Law School

Director, Center for Polar and Deep Ocean Development Shanghai Jiao Tong University

Recent activities

Since its establishment, the Center for Polar and Deep Ocean Development has worked closely alongside relevant governmental agencies and research institutions to promote scientific and policy development with regard to the Law of the Sea and deep seabed issues. That work has included the following:

- The Center has collaborated with the Environmental Protection and Resources Conservation Committee of the National People's Congress to support the legislative development of the deep seabed-mining activities of China, which led to the adoption, in February 2016, of the Law of the People's Republic of China on the Exploration for and Exploitation of Resources in the Deep Seabed Area. The Center is currently working on other forthcoming regulations and administrative measures to implement this national law.
- The Center was invited by the State Oceanic Administration of China to provide legal and policy input for the 13th five-year plan on the strategic development of deep ocean and seabed exploration of that country.

- The Center collaborates with relevant agencies under the State Council to provide legal and policy support in connection with requests for materials by the Authority as part of its periodic review, under article 154 of the United Nations Convention on the Law of the Sea.
- The Center provides academic support to the management centre of a national deep-sea base, in Qingdao, for an ongoing project involving an environmental survey and an environmental impact assessment for the exploration for and exploitation of polymetallic nodules.
- The Center hosts conferences on specific issues relating to the deep sea and the Area. Among them, the annual Forum on Deep Seabed Issues: Interaction and Progress of Science, Technology and Legal Development has attracted the most attention from governmental agencies, research institutions and entrepreneurs.
- The Center has made an effort to conduct Law of the Sea training courses on an annual basis as part of a summer workshop series on the theory and practice of that law, which comprises varied topics. The 2017 workshop, to be held from 3 to 14 July 2017 in Shanghai with the support of the Authority Endowment Fund, will focus on deep seabed mining.

In summary, as the only institute focusing on legal and policy research relating to deep seabed issues in China, the Center has contributed to the advancement of the legislative framework in China and progress in State practice. Along those lines, the Center is confident of its further efforts to improve that country's implementation of the international legal regime of the deep seabed and the relevant requirements of the Authority.
