



# Role and responsibilities of Sponsoring States in deep seabed mining

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# Outline

1 Introduction

2 The role of Sponsoring States

3 Legal framework for Compliance and obligations

4 Conclusion





# WHICH STATES CAN BECOME SPONSORING STATES?



**ANY Member State(s) of the  
Authority**

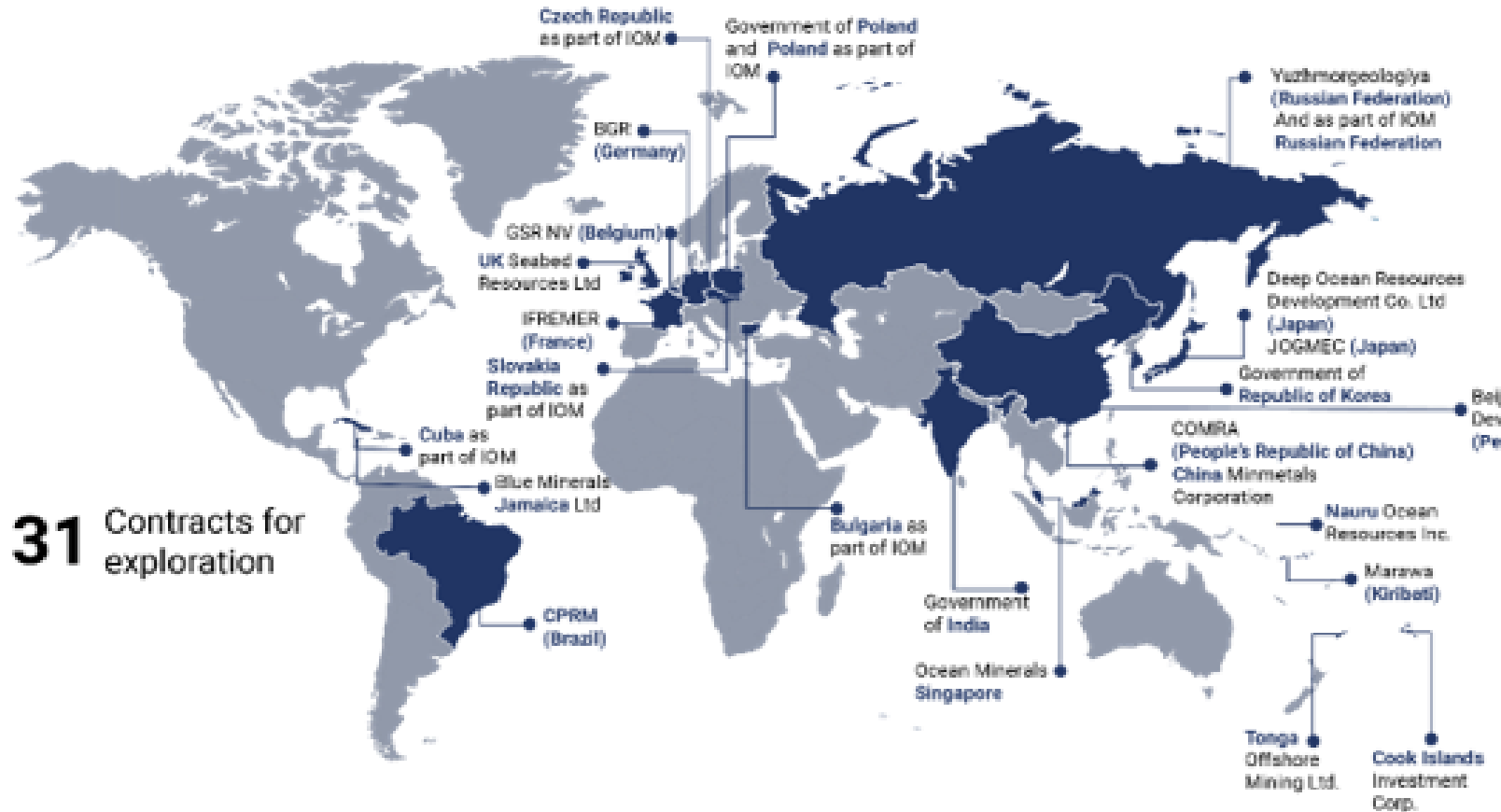


# WHAT IS THE ROLE OF A SPONSORING STATE?

***Annex III, Article 4(3) of UNCLOS*** Within the context of Deep Seabed, 'Each applicant shall be sponsored by the State Party of which it is a national... or effectively controlled by that State Party....'

***Sponsoring State(s)*** have the responsibility to ensure within their legal systems that an applicant/ contractor sponsored by it carry out activities in the Area in conformity with the terms of its contract and obligations under UNCLOS

# CURRENT SPONSORING STATES



**31** Contracts for exploration

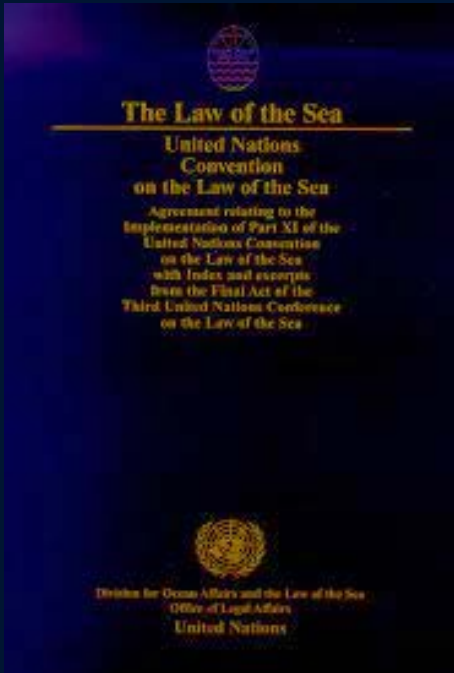
- Belgium**
- China**
- Cook Islands**
- France**
- Germany**
- India**
- Japan**
- Jamaica**
- Korea**
- Kiribati**
- Nauru**
- Poland**
- Russia**
- Singapore**
- Tonga**
- United Kingdom**

**Red:** Developed states   **Green:** Developing States   **Blue:** Small Island developing states   **Gold:** Group of states

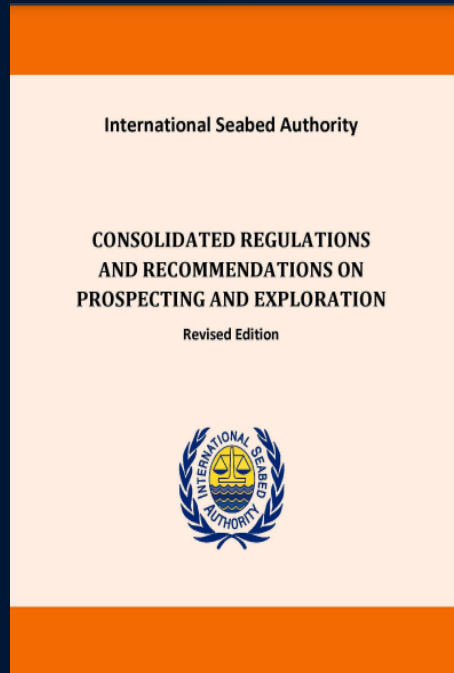
**IOM** (Bulgaria, Cuba, Czech Republic, Poland, Russian Federation and Slovakia)



# LEGAL FRAMEWORK FOR COMPLIANCE



**Article 139**  
**Article 153 (4)**  
**Annex III, Article 4 (4)**



**Advisory Opinion of  
the Seabed  
Disputes Chamber  
of the International  
Tribunal for the Law  
of the Sea.**

# Obligations on sponsoring States



Responsibility to ensure compliance by Contractor  
(Obligation of conduct)



Obligation of  
**‘due diligence’** and to make best efforts (adopt national laws, regulations and administrative measures)



Issue a certificate of sponsorship and exercise effective control

# Obligations on sponsoring States

**Regulations,  
Standards and  
guidance**

**Keep records of  
documentations**

**Liase with &  
notification to ISA**

**Exercise effective  
control**

**Not impose unnecessary  
regulatory burden on  
sponsored party**

**Evaluation of  
application**

**Certificate of  
Sponsorship**

**Monitoring and  
inspection**

**Inquiry into incidents  
and providing assistance  
in responding**

**Review of EIA**

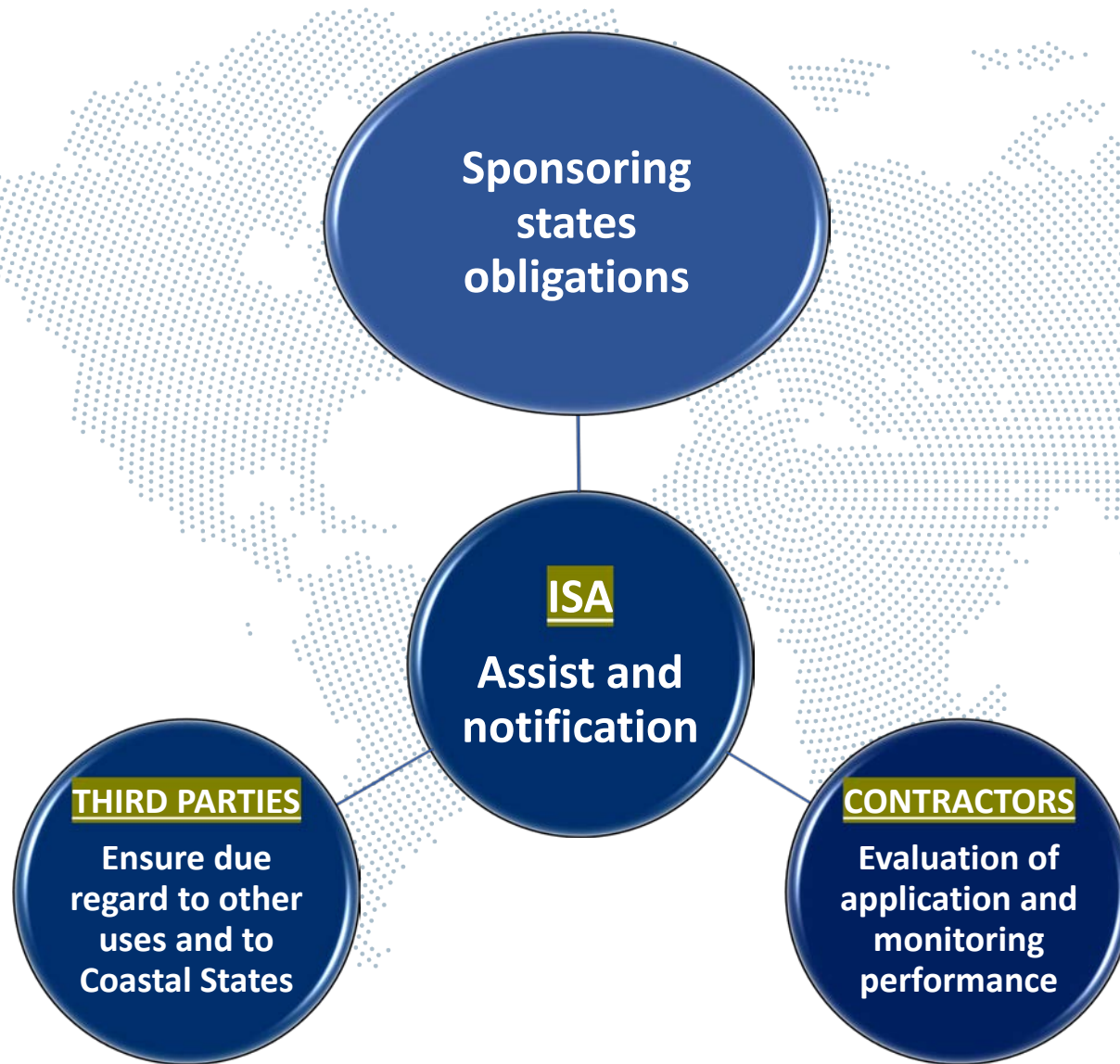
**Apply a Precautionary  
Approach**

**Promote best  
environmental  
practice**





# Obligations on sponsoring States



# Direct obligations established by the Seabed Disputes Chambers (ITLOS) Advisory Opinion



Obligation to assist the Authority



Obligation to apply a precautionary approach



Obligation to apply the "best environmental practice"



Obligation to adopt measures to ensure the provision of guarantees



Obligation to provide recourse for Compensation



Obligation to ensure compliance of contractor to conduct EIA



Any questions ?





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