



Supporting Africa's Blue Economy



INTERNATIONAL SEABED AUTHORITY SEVEN VOLUNTARY COMMITMENTS TO SUPPORT THE IMPLEMENTATION OF SDG14 #OCEANACTION16374

isa.org.jm

The International Seabed Authority : Role & functions |
Dr. Marie Bourrel-McKinnon
Senior Policy Officer – Special Assistant to the Secretary-General

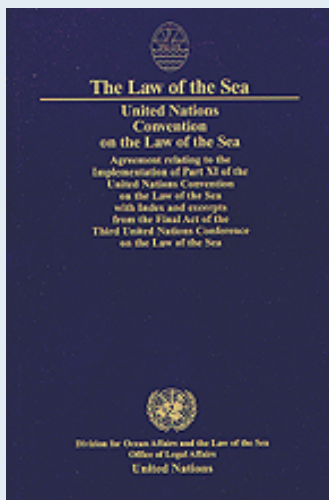


Norad

ADSR Workshop/ 16-18 May 2019 – Pretoria, South Africa

OVERVIEW OF THE LEGAL FRAMEWORK

The UN Convention on the Law of the Sea (UNCLOS)



- Adoption: 1982,
- Entry into force: 1994
- 168 Parties
(46 African States)

Management of Ocean space & resources (living & non-living)

Preamble:
establishing a peaceful order for the seas
which promotes
*'the equitable and efficient utilisation of
their resources, the conservation of their
living resources and the study, protection
and preservation of the marine
environment.'*

'Implementing Agreement' (Part. XI)

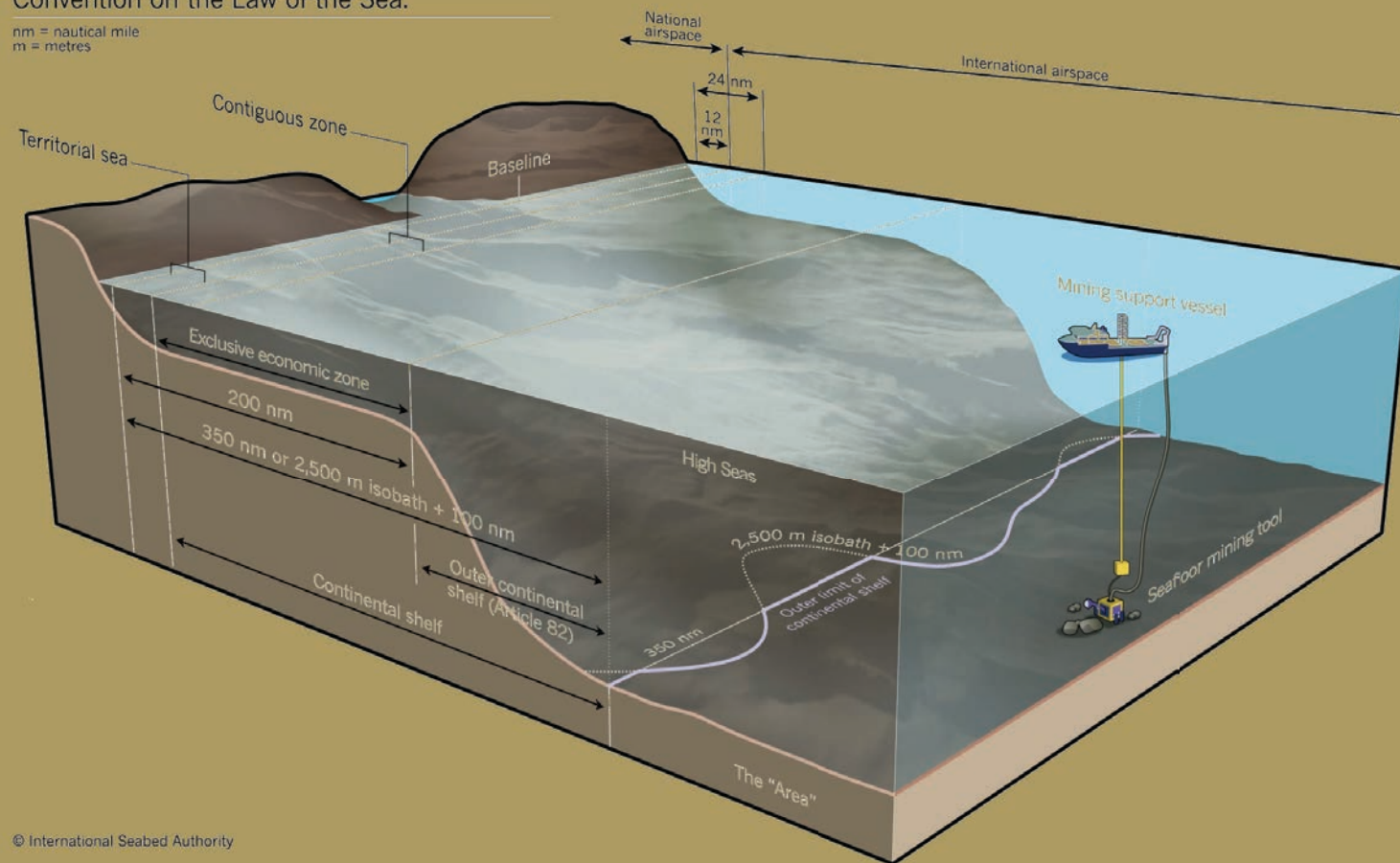
- Adoption: 1994
- Entry into force: 1996
- 150 Parties
(37 African States)



THE AREA

Maritime space under the 1982 United Nations Convention on the Law of the Sea.

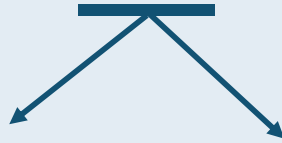
nm = nautical mile
m = metres



© International Seabed Authority



LEGAL RIGHTS TO SEABED MINERALS



National jurisdiction

Costal States have **sovereign rights**:

- to **explore and exploit** their natural resources (UNCLOS, art. 56 & 77)
- to **authorise structures** for economic purposes in the EEZ, or **drilling** on the CS (UNCLOS, art. 60, 80 & 81)

Exclusive

Unrestricted (*subject to other sea users rights: navigation, submarine cabling, MSR & States environmental obligations*)

No requirement to share access or benefit



BNJ– the Area

- The Area and its resources are the '**Common heritage of mankind**' (UNCLOS, art.136)
- Activities in the Area shall be carried out for the **benefit of mankind as a whole** (UNCLOS, art. 140)
- **ISA** established to regulate DSM activities

- Secretariat in Kingston (Jamaica)
- **29** contracts approved
- Preferential access for developing countries

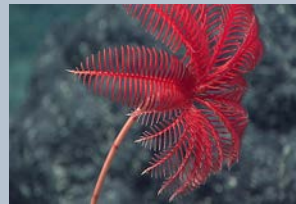


MANDATE OF ISA



MANAGE

Prospecting/Exploration
Exploitation



PROTECT

Marine Env/
Biodiversity



PROMOTE & ENCOURAGE

MSR



BENEFIT SHARING

Equity

STRUCTURE AND FUNCTIONS

Assembly

167 Member States + the European Union
Article 160: supreme/plenary political organ; power to establish general policies on any question or matter within the ISA competence; budget; regulations; SG

Finance Committee

1994 IA, Annex, section 9
15 members including 5 largest contributors for as long as ISA depends on assessed contributions

Council

Group A (4) Major consumers: Currently China, Italy, Japan, Russia
Group B (4) Major investors: Currently France, Germany, India, ROK
Group C (4) Major exporters: Australia, Chile, Canada, South Africa
Group D (6) Developing States and special interests: Bangladesh, Brazil, Lesotho, Fiji, Jamaica, Uganda
Group E (18) Equitable geographic representation: Algeria, Argentina, Cameroon, Côte d'Ivoire, Czech Republic, Ghana, Indonesia, Mexico, Morocco, Mozambique, Netherlands, Nigeria, Panama, Poland, Singapore, Spain, Tonga, Trinidad and Tobago, Norway

Secretariat

Secretary-General + 42 est.'d posts
Assists the work of other organs

Enterprise

Article 170: organ of the ISA carrying out activities in the Area directly.
1994 Agreement, section 2: The Secretariat shall perform the functions of the Enterprise until it begins to operate independently of the Secretariat.

Legal and Technical Commission

Articles 163 and 165 – 15 members enlarged to
E.g. recommendations on applications/REMPs; selection of trainees; review of contractors' activities; on RRP.

Economic Planning Commission

Articles 163 and 164, 1994 IA, Section 1
Not currently operational. Functions carried out by LTC



ISA 7 VOLUNTARY COMMITMENTS TO SUPPORT IMPLEMENTATION OF SDG14



PARTNERS: UNDESA IUGGAL African Union Gouvernement Princier PRINCIPAUTÉ DE MONACO Norad



THANK YOU!

