International Seabed Authority: Functions and structure Michael W. Lodge Abuja, October 2022

International Seabed Authority

UNCLOS, Part XI, Section 4 (Arts. 156-185) and 1994 Implementation Agreement





International Tribunal for the Law of the Sea



Commission for the Limits of the Continental Shelf



Core functions

- 1 Regulate activities in the Area
- Promote and encourage MSR
- Promote and encourage transfer of technology
- Promote international cooperation
- Article 82 distribution from continental shelf

Structure

Finance Committee

Seabed Disputes Chamber (ITLOS)

Assembly

Council

Secretariat

Enterprise

Membership: Pacific Community

168 parties to UNCLOS International Maritime Organization

99 observers International Hydrographic

Relationship agreements with: Organization

United Nations Indian Ocean Rim Association

IOC-UNESCO AALCO African Union ICPC

OSPAR Commission

Legal and Technical Commission

Economic Planning Commission



Assembly



Powers

- Establish general policies
- Elect Secretary General
- Elect Director General of Enterprise
- Approve rules, regulations and procedures as adopted by Council
- Approve budget, as recommended by Council, based on recommendation of Finance Committee
- Approve scale of assessments

Assembly



Decision-making

- Consensus, as general rule
- Financial and budget: based on recommendation of Finance Committee
- Decisions where Council also has competence must be based on recommendation of Council
- If Assembly disagrees, must return to Council.

Council

36 members elected by the Assembly

Group A
Major consumers or importers

Japan China Russia Italy Group B Major investors

France Germany India R.O. Korea Group C Land-based producers

Australia
Canada
Chile
South Africa

Group D Special interests

Bangladesh Brazil Fiji Jamaica Lesotho Uganda Group E
Equitable geographic representation

Argentina Nigeria Cameroon Norway Costa Rica Poland Czechia Sierra Leone Ghana Singapore Indonesia Spain Mexico Tonga Trinidad & Morocco Mozambique Tobago Netherlands UK

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WEOG 9
GRULAC 7
Africa 9 = 37
Eastern Europe 3
Asia Pacific 9
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Council

Complex decision-making rules

Chamber A
Major consumers or
importers

Japan China Russia Italy Chamber B Major investors

France Germany India R.O. Korea

Decision-making by consensus as a general rule. Consensus required for rules, regulations and procedures and amendments to Part XI

Voting: Two-thirds majority (24), provided **not opposed** by a majority in A, B, C or D

Chamber C Land-based producers

Australia
Canada
Chile
South Africa

Chamber D
Developing States in
Groups D and E

Bangladesh Indonesia Brazil Mexico Fiji Morocco Jamaica Mozambique Lesotho Nigeria Sierra Leone Uganda Argentina Singapore Cameroon Tonga Costa Rica Trinidad & Ghana Tobago

No chamber (Count towards overall majority)

Czechia
Netherlands
Norway
Poland
Spain
United Kingdom

Subsidiary bodies

Legal and Technical Commission

- 15 members (currently increased to 41)
- Review plans of work
- Draft rules, regulations and procedures
- Supervise activities in the Area
- Environmental monitoring and assessment (including draft REMPS)
- Initiate enforcement action

Economic Planning Commission

- 15 members (not yet established)
- Recommendations on compensation to land-based developing State producers (Article 151(10))
- LTC carries out limited functions during interim period

Finance Committee

- 15 members (must include 5 largest contributors: China, Japan, Germany, UK, France)
- Budget recommendations
- Internal financial control
- Rules, regulations and procedures for equitable sharing



Secretariat





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