

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA
AND
THE INTERNATIONAL SEABED AUTHORITY
ON COOPERATION WITHIN THE FRAMEWORK OF
THE SILK ROAD ECONOMIC BELT
AND THE 21ST CENTURY MARITIME SILK ROAD INITIATIVE**

Considering the efforts of the International Seabed Authority (“the Authority”) in elaborating and implementing the principles contained in Part XI of the 1982 United Nations Convention on the Law of the Sea (“the Convention”) and the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982 (“the 1994 Implementation Agreement”) so as to meet the world’s demand for deep seabed mineral resources through orderly, safe, environmentally sound, energy efficient and secure activities in the international seabed area (“the Area”) as an essential part of the blue economy;

Mindful that the Authority continuously promotes the effective and uniform implementation of the existing regulatory framework under Part XI of the Convention and the 1994 Implementation Agreement with a view to sharing major social and economic benefits through the sustainable development of the mineral resources of the Area;

Considering also the intention of the Authority is to cooperate within the framework of Part XI of the Convention and the 1994 Implementation Agreement;

Recalling that the development of the resources of the Area and the building of, and the strengthening of, any existing national capacity, including the promotion of marine technology transfer, are part of the core objectives of the Authority's mandate under the Convention and the Strategic Plan of the Authority for the period 2019-2023;

Considering that the Silk Road Economic Belt and the 21st-Century Maritime Silk Road Initiative (“the Belt and Road Initiative”) proposed by the People's Republic of China aims at enhancing interconnectivity of countries around the world and facilitating maritime

trade to sustain common prosperity;

Noting that the Belt and Road Initiative can help expand and establish a comprehensive cooperation platform and mechanism for activities in the Area and the effective implementation of Part XI of the Convention and the 1994 Implementation Agreement to strengthen sustainable management of the mineral resources of the Area.

Welcoming China's Belt and Road Initiative and hosting of the Belt and Road Forum for International Cooperation;

And in this regard, **considering** the willingness of both signatories to enhance cooperation in activities in the Area and the effective implementation of Part XI of the Convention and the 1994 Implementation Agreement and to strengthen sustainable management of the mineral resources of the Area;

Now therefore, the Authority and the Government of the People's Republic of China ("the signatories") endeavour to cooperate under this Memorandum of Understanding as follows:

Section I

Objectives and Guiding Principles of Cooperation

Recognizing that international cooperation on activities in the Area in the context of the Belt and Road Initiative can also promote the effective and uniform implementation of applicable international legal instruments, particularly the Convention and the 1994 Implementation Agreement, and that the purpose of this Memorandum of Understanding is to emphasize the importance of cooperation in maritime human resource development and institutional capacity-building of developing countries.

The signatories will endeavor to promote cooperation based on the following:

(i) Guided by the principle of extensive consultation, joint efforts, and shared benefits, the signatories endeavour to deepen mutual trust and cooperation, and promote participation of developing countries in international seabed-related affairs, in particular, the landlocked countries, countries with geographical disadvantage, small island developing States and least developed countries;

(ii) Guided by the purposes and principles enshrined in the Charter of the United Nations and international instruments including in particular the Convention and the 1994 Implementation Agreement, the signatories will enhance understanding and mutual trust, promote coordination and support each other in accordance with the common heritage of mankind.

Section II

Areas of Cooperation

1. With a view to achieving the aspirations of this Memorandum of Understanding, the signatories will endeavour to utilize the positive roles played by the Authority in organizing and managing international seabed-related activities, achieving the United Nations 2030 Sustainable Development Goals, and improving global maritime governance. To that end, both signatories endeavour to:

i. Jointly promote, in view of the Belt and Road Initiative, the implementation of Part XI of the Convention and the 1994 Implementation Agreement consistently and effectively, to promote the development of mineral resources of the Area and the protection of the marine environment by aiming to improve the performance of deep sea mining-related industries, boosting the role of the ISA-China Joint Training and Research Center as a cooperation platform.

ii. Work together to promote the full and uniform implementation of Part XI of the Convention and the 1994 Implementation Agreement in the context of the Belt and Road Initiative and in doing so to foster the enhancement of environmental performance, strengthen the participation of developing countries in the development of the resources of the Area and enhance the knowledge of the deep seabed through cooperation.

iii. Promote sustainable development of mineral resources of the Area, enhance the marine scientific knowledge of the deep seabed by supporting the Authority's database, environmental awareness and management of impacts from activities in the Area, as well as maritime education and training programmes, including in countries along the "21st-Century Maritime Silk Road", to meet their growing demands for trained and qualified personnel in this maritime sector.

2. With a view to facilitating these cooperative intents, the

Government of the People's Republic of China and the Authority are willing to work jointly for enhancing technical cooperation with the participating countries of the "21st-Century Maritime Silk Road" and other developing countries, and promoting sustainable development of mineral resources of the Area.

Section III

Subsequent Activities and Arrangements

Any subsequent activities and arrangements pursuant to this Memorandum of Understanding, will require to be implemented by the signatories through the negotiation and conclusion of separate agreements or cooperation documents.

Section IV

Cooperation Mechanism

Where applicable and as appropriate, the signatories endeavour to consider making full use of existing cooperation mechanisms as well as to explore new opportunities for cooperation through enhanced coordination.

Section V

Privileges and Immunities

Nothing in or relating to this Memorandum of Understanding shall be deemed a waiver, express or implied, of any of the privileges and immunities of the Authority, including its officials.

Section VI

Applicability

This Memorandum of Understanding does not constitute a legally-binding international agreement which may lead to rights and obligations under international law.

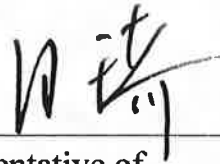
This Memorandum of Understanding will remain applicable for five years, and will be automatically extended for subsequent five-year

periods, unless one of the signatories notifies otherwise in writing at least three months in advance.

This Memorandum of Understanding, duly signed in duplicate in the Chinese and English languages, both texts being equally authentic, in Kingston, Jamaica, on 11 November 2020.



Secretary-General of
the International Seabed Authority



Representative of
The Government of
The People's Republic of China

中华人民共和国政府与国际海底管理局 关于推进丝绸之路经济带和 21 世纪海上丝绸之路建设的谅解备忘录

鉴于国际海底管理局（下称“海管局”）对解释和执行 1982 年《联合国海洋法公约》（下称《公约》）第十一部分与《关于执行 1982 年 12 月 10 日〈联合国海洋法公约〉第十一部分的协定》（下称“1994 年执行协定”）有关原则所作出的努力，通过对国际海底区域（下称“区域”）有序、安全、环境友好、节能、稳定的开发活动，满足世界对海底矿产资源的需求，并作为发展蓝色经济的重要内容；

注意到海管局持续推进《公约》第十一部分与 1994 年执行协定的既有管理框架，致力于通过对区域矿产资源的可持续开发，带来重大社会和经济效益；

鉴于国际海底管理局希在《公约》第十一部分以及 1994 年执行协定框架内开展合作的意向；

忆及区域资源的开发，以及建设、加强现有国家能力，包括促进海洋技术转让等，是海管局职责及其《2019-2023 年战略计划》的核心目标；

鉴于中华人民共和国提出的共建“丝绸之路经济带”和“21 世

“21世纪海上丝绸之路”（下称“一带一路”）倡议旨在促进世界各国互联互通，推动海洋贸易，促进共同繁荣；

注意到“一带一路”倡议可促进建立并扩大的全面合作平台与机制，有效执行《公约》第十一部分与1994年执行协定，加强区域矿产资源的可持续管理；

欢迎中方提出的“一带一路”倡议并主办“一带一路”国际合作高峰论坛；

考虑到双方加强区域合作，促进有效执行《公约》第十一部分及1994年执行协定，以及对区域矿产资源加强可持续管理合作的意愿；

因此，中华人民共和国政府与海管局（下称“双方”）愿根据本谅解备忘录开展如下合作：

第一条 合作目标与指导原则

一、认识到在“一带一路”倡议背景下开展区域国际合作能够促进可适用的国际文件的有效和统一实施，尤其是《公约》和1994年执行协定的有效和统一实施，本谅解备忘录旨在强调海洋人力资源开发和发展中国家的机构能力建设。

双方将致力于促进如下合作：

（一）在共商、共建、共享的原则指导下，双方将致力于深化

互信与合作，促进发展中国家，特别是内陆国、地理不利国、小岛屿发展中国家、最不发达国家等对国际海底事务的参与；

（二）以《联合国宪章》的宗旨原则和《公约》及 1994 年执行协定等国际文件为指导，依据人类共同继承财产原则，增进理解和互信，促进协调与相互支持。

第二条 合作内容

一、为实现本谅解备忘录的愿景，双方将致力于发挥海管局在组织与管理国际海底活动，实现联合国 2030 年可持续发展目标，提升国际海洋治理水平中的积极作用。为此，双方将作出如下努力：

（一）参考“一带一路”倡议，共同促进《公约》第十一部分和 1994 年执行协定的持续有效实施，促进区域矿产资源的开发，保护海洋环境，提升深海采矿产业的效益。

（二）共同促进《公约》第十一部分和 1994 年执行协定的完整、一致的实施，促进环境改善，促进发展中国家参与区域资源开发，加强深海海底相关知识交流合作，发挥中国—国际海底管理局联合培训和研究中心的平台作用。

（三）推动区域矿产资源的可持续开发，通过支持海管局的数据库，提升环保意识，管理区域活动的影响，提升海洋科学专业知识，促进海洋教育和培训项目，为“21 世纪海上丝绸之路”沿线国家等提供支持，满足其日益增长的对培训合格海洋人才的需求。

二、考虑到上述合作意向，中华人民共和国政府与海管局愿共同致力于深化与“21世纪海上丝绸之路”沿线和其他发展中国家的技术合作，共同促进区域矿产资源的可持续开发。

第三条 后续活动与安排

关于本谅解备忘录的后续活动和安排，需通过双方协商达成协议或合作文件予以执行。

第四条 合作机制

双方愿在可行的条件下，视情充分依托和发挥现有机制的作用，加强合作，探讨挖掘双方合作的新机遇。

第五条 特权与豁免

本谅解备忘录所涵盖内容及与本谅解备忘录相关的任何内容均不得被视为明示或暗示放弃海管局及其官员的任何特权与豁免。

第六条 适用范围

本谅解备忘录不构成具有法律效力的国际协议，且不产生国际法上的权利与义务关系。

本谅解备忘录有效期五年。如任何一方未在有效期满前三个月以书面形式通知对方终止，本谅解备忘录将自动延期五年，并依此

法顺延。

本谅解备忘录于 2020 年 11 月 11 日在牙买加金斯敦签订，一式两份，每份均用中文、英文两种语言写成，两种文本同等作准。

中华人民共和国政府

代表



国际海底管理局

秘书长