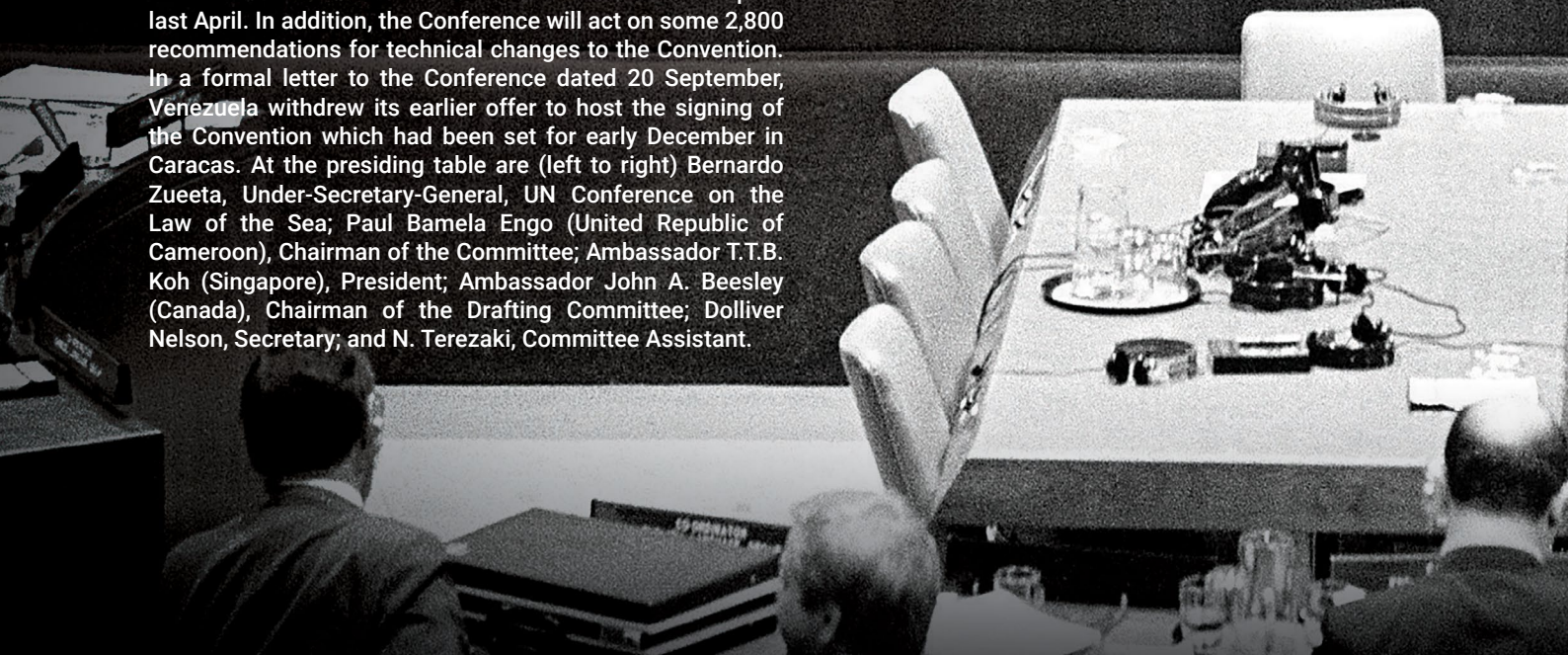


# CELEBRATING 30 YEARS OF STEWARDSHIP OF THE AREA AND ITS MINERAL RESOURCES FOR THE BENEFIT OF HUMANKIND



## Law of the Sea Conference begins Three-Day Session

The Third United Nations Conference on the Law of the Sea began a three-day session on 22 September to prepare the final text of the Convention on the Law of the Sea adopted last April. In addition, the Conference will act on some 2,800 recommendations for technical changes to the Convention. In a formal letter to the Conference dated 20 September, Venezuela withdrew its earlier offer to host the signing of the Convention which had been set for early December in Caracas. At the presiding table are (left to right) Bernardo Zueeta, Under-Secretary-General, UN Conference on the Law of the Sea; Paul Bamela Engo (United Republic of Cameroon), Chairman of the Committee; Ambassador T.T.B. Koh (Singapore), President; Ambassador John A. Beesley (Canada), Chairman of the Drafting Committee; Dolliver Nelson, Secretary; and N. Terezaki, Committee Assistant.





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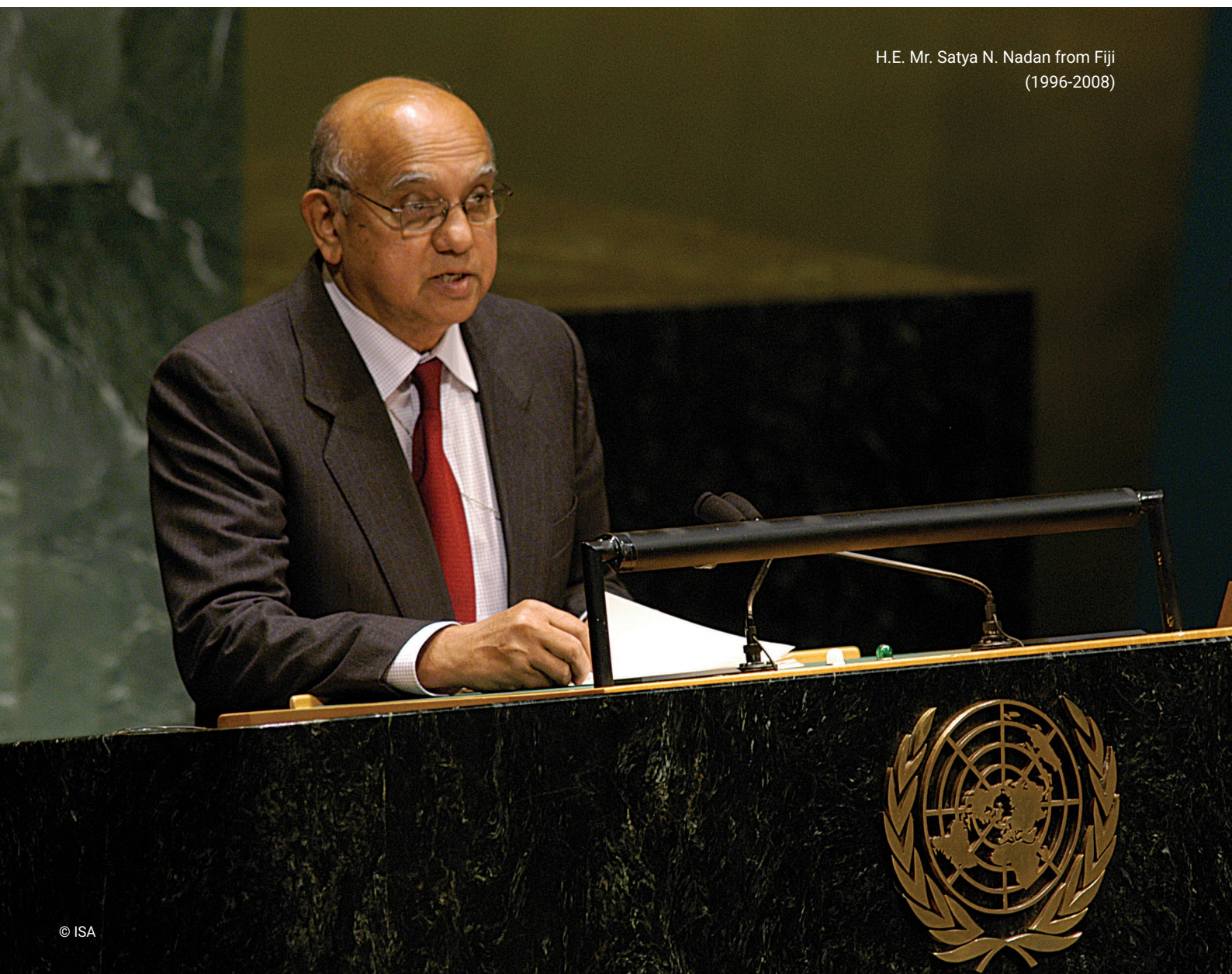


The year 2024 marks the 30th anniversary of the establishment of ISA, which came into existence on 16 November 1994, upon the entry into force of UNCLOS, the “Constitution of the ocean.”

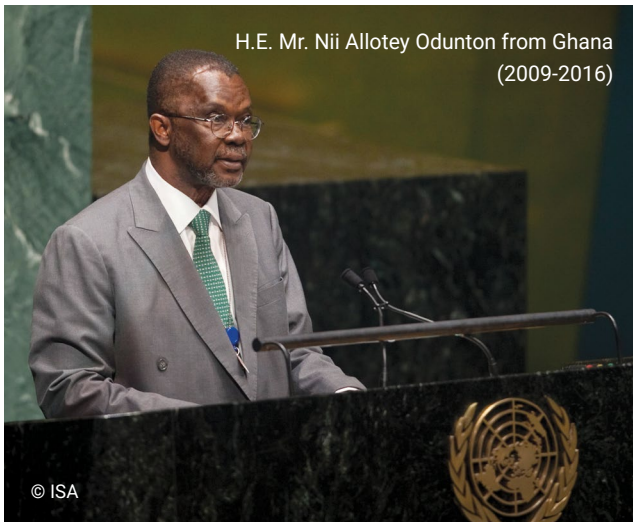
At the core of the global legal regime set out by UNCLOS for managing all activities in the ocean lies a collective vision of a shared future for humanity based on a comprehensive and flexible regime to achieve the sustainable use of the ocean and its marine mineral resources. Beyond national jurisdictions and national interests, this vision is realized by the establishment of ISA – the custodian and steward of 54 per cent of the world’s ocean floor and its resources, which are the common heritage of humankind.

ISA is the only example of an international organization established to manage a global commons for the benefit of humanity on the basis of equity in the allocation of access to resources. To deliver against such an ambitious mandate, ISA has been equipped with a series of unique and complementary responsibilities and competences, including serving as a global platform for making the trade-offs necessary for the responsible organization and management of all mineral-related activities in the Area. This system of global governance is premised on the sustainable use of mineral resources on the basis of equality between States and in such a way as to provide benefits for all humanity.

H.E. Mr. Satya N. Nadan from Fiji  
(1996-2008)







Over the last 30 years, the regime for the Area has been strengthened through almost universal participation, tenacious diplomacy for the effective management of the Area for the benefit of all humankind, commitment to the effective implementation of the UNCLOS and the 1994 Agreement, wide participation of stakeholders in decision-making processes and creative thinking.

Since its establishment, and in line with its Strategic Plan 2019–2025 and related High-Level Action Plan, ISA has achieved remarkable results in all the pillars of its mandate.

Consistent with the UNCLOS and the 1994 Agreement, ISA has developed a comprehensive framework for the regulation of activities in the Area. This framework includes detailed rules, regulations, procedures and recommendations that oversee the prospection and exploration of the resources of the Area. Negotiations are currently ongoing for the finalization of regulations for the exploitation of the mineral resources of the Area and associated standards and guidelines.

A clear indicator of the success of the legal framework is that since ISA came into existence, there have been no unilateral claims to the resources of the seabed outside the international rules set by ISA. On the contrary, ISA has granted 31 exploration contracts to a diverse range of States, state entities and private corporations sponsored by developing and developed States. Some of these contracts have been in force for about 25 years, resulting in significant scientific and technical advances in resource assessments, environmental studies and testing of mining technology, including over 200 cruises conducted in exploration areas. A close look at the data collected by ISA shows a steady increase in investment in exploration activities, particularly over

the last eight years. In the period between 2001 and 2022, over USD331 million was spent on environmental studies, USD346 million on technology development and around USD9 million on training activities, which involved over 300 trainees, including 132 women. Since the signature of the first exploration contracts, a total of USD1.8 billion has been expended on exploration.

The large amount of data collected over the years has been made available to the public, in a continuous commitment to transparency, through the DeepData platform, a global repository of all deep-seabed-related data submitted by contractors and collected in the Area in the conduct of their exploration activities. DeepData contains information on biological, physical and geochemical parameters of marine ecosystems from the sea floor to the ocean surface. It also contains maps, photographs, videos, graphics and relevant publications in peer-reviewed journals from contractors that allow for visualization of entire contract areas.

The promotion, dissemination, exchange and sharing of scientific data and deep-sea research outputs, including increasing deep-sea literacy, is a key component of the mandate recognized to ISA under Article 143 of UNCLOS, upon which the ISA MSR Action Plan, adopted by the Assembly in 2020, is built. Recognizing the importance of collaborative efforts to support the United Nations Decade of Ocean Science for Sustainable Development and ensure increased capacity to generate, understand, manage and use ocean knowledge, ISA has identified six strategic priorities to achieve shared objectives, such as improved knowledge-sharing on deep-sea biodiversity and enhancing ocean observing networks. ISA is making a substantial contribution to these common goals through the Sustainable Seabed





© UN Photo/Milton Grant  
New York

A charter for the world's oceans, nine years in the making, was completed at UN Headquarters today with the adoption of the Convention on the Law of the Sea. The Convention deals with almost every human use of the oceans – navigation and over-flight, resource exploration and exploitation, conservation and pollution, fishing and shipping. In approving the text, the Third UN Conference on the Law of the Sea carried out an assignment given it by the General Assembly in 1973, but it failed to meet its goal of a consensus. Instead, in a vote requested by the United States, it adopted the text by 130 in favour to four against, with 17 abstentions.

Knowledge Initiative (SSKI), launched in 2022. This SSKI aims to describe over 1,000 new species from the regions of the Area currently explored. Through the generation of new knowledge and innovation in the availability and flow of data and expertise, SSKI will strengthen the scientific foundation for effective protection and management of the Area.

For the past 30 years, ISA has ensured effective protection of the marine environment. Regional environmental management plans (REMPs) are an essential part of ISA's strategy to ensure the protection of the marine environment. They support informed decision-making processes and help to identify, on a scientific basis, areas that are representative of a full range of habitats or that may be in need of protection. This helps meet internationally agreed goals and targets, including those under SDG 14 as well as the 2030 targets established under the Kunming-Montreal Global Biodiversity Framework. Following the adoption and successful implementation of the first REMP for the Clarion-Clipperton Zone (CCZ) in 2012, ISA is developing additional management plans for the northern part of the mid-Atlantic Ridge, Indian Ocean and Northwest Pacific Ocean.

Major advancements have also been made in relation to another key pillar of ISA's mandate: providing for the equitable sharing of financial and other economic benefits derived from activities in the Area. In parallel with the development of regulations for the exploitation of mineral resources in the Area, ISA's Finance Committee (FC) has begun to develop rules, regulations and procedures for the equitable sharing of financial and other economic benefits derived from activities in the Area. This unique endeavour has no precedent in the governance of a global commons. The FC has so far submitted to the Council and the Assembly three alternative formulas for fair and equitable allocation of financial benefits. It has also proposed the establishment of a Common Heritage Fund as an alternative to direct distribution, aimed at investing in capacity development, knowledge and competence related to the ocean. The goal is to enhance ISA's contribution to the implementation of the 2030 Agenda for Sustainable Development.

At the institutional level, ISA's increasing maturity was also marked by the decision in 2023 to operationalize the Enterprise, the organ of ISA tasked to carry out



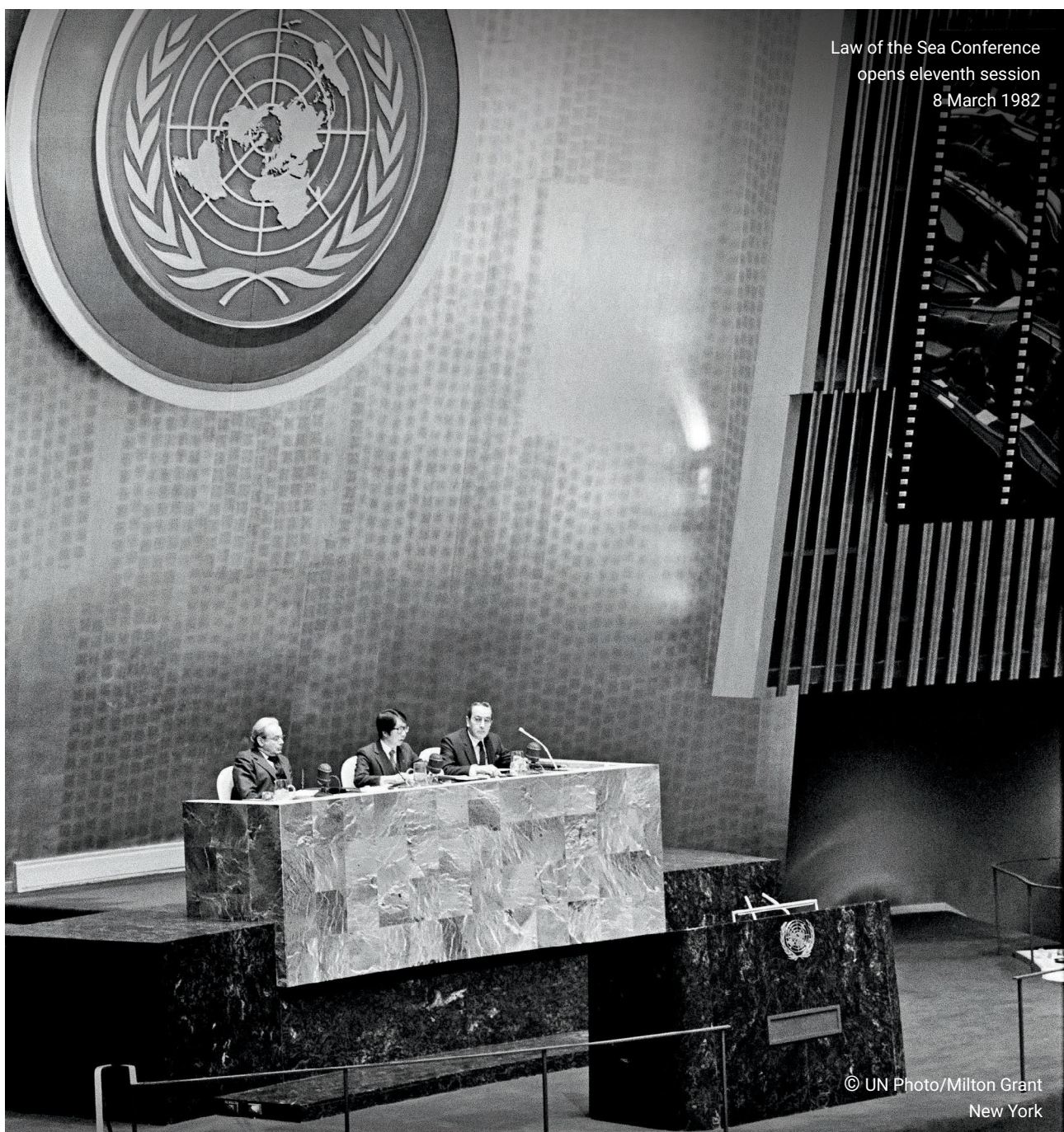
activities in the Area by establishing the position of the Interim Director-General of the Enterprise within the Secretariat, to perform the specific functions prescribed by the 1994 Agreement.

Negotiations are also under way for the operationalization, in due course, of the Economic Planning Commission, a subsidiary body of the Council foreseen by UNCLOS. The establishment of this body will render fully functional the institutional architecture of ISA foreseen under UNCLOS.

Overall, the experience of the past 30 years has provided

a solid foundation on which ISA can further build for the future. The significant progress achieved by ISA so far is a testament to the strength of multilateralism in ocean affairs and stands as a model for effective ocean governance.

ISA will also have an important contribution to make to the implementation of the 2023 Agreement under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (ABNJ), the objectives of which are closely related to the mandate entrusted to ISA by UNCLOS and the 1994 Agreement.







## Mr. Boutros Boutros-Ghali

Former UN Secretary-General (1992-1996)

15 November 1994

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Although the development of the mineral resources of the oceans is not likely to take place for a number of years, it is important that [ISA] be soundly based from its inception and that it be able to count on the support of the entire international community. It is, therefore, particularly satisfying for me to see that [ISA] is now being established with overwhelming support. The successful outcome of the long consultations, begun by my predecessor and continued by me, has won for [UNCLOS] the universal support, which is the key to its success.

Here, in Jamaica, the international community will mark a new era in international relations with the entry into force of [UNCLOS] and the first Assembly of [ISA], we all have reason to be proud.

Through cooperation and mutual understanding, a new opportunity for partnership has emerged. As this partnership unfolds—in the twenty-first century and beyond—the [ISA] and the principles which underlie it will play a key role in enabling humanity to realize the enormous potential of our common inheritance.

## Dr. Kenneth Rattray, Q.C.

Solicitor-General

15 November 1994

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The [UNCLOS] has been universally acclaimed as the most ambitious project undertaken under the auspices of the [UN]. It symbolizes a vision of a world in which three-fourths of the earth's planet represented by the oceans will be governed by a legal framework that reconciles and accommodates the wide and diversified needs and interests of all States, rich and poor, developed and developing, coastal and landlocked, island States and geographically disadvantaged States. It symbolizes a triumph for the peaceful negotiations of conflicting interests through dialogue and compromise: a triumph of diplomacy and rejection of the admissibility of solving the issues of ocean space by conflict and by force.

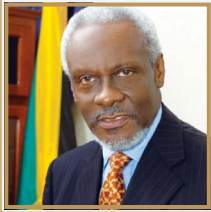
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We have continued to recognize the simple truth that [UNCLOS], which is designed for mankind as a whole, must essentially secure the participation of all mankind. And so it is particularly satisfying that as we celebrate the entry into force of [UNCLOS] and the establishment of the [ISA] that we pay tribute to the Secretary-General of the [UN] for the outstanding achievement that resulted from the dialogue under his auspices which was aimed at securing such universality. It is an achievement that offers great promise for peace and stability in the oceans on a basis that preserves the integrity of the fundamental principles of the common heritage of mankind on which Part XI of [UNCLOS] is based.

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Today, we open a new chapter in the history of the Law of the Sea. Our vision of the future must continue to be to serve the interests of mankind as a whole in the light of ongoing and contemporary circumstances.





## The Right Honourable P.J. Patterson, P.C., Q.C., M.P.

Prime Minister of Jamaica

16 November 1994

“Never before has there been an attempt to deal so comprehensively with a regulation of an area nearly four times the size of the land territory of the globe.

Never before had there been such extensive experimentation with the strategies of peaceful negotiation in a desperate effort to reject the admissibility of solving ocean space issues by conflict or by force, utilizing practical and pragmatic solutions while protecting relevant principles.

Never before had there been such a universality in the negotiation, present ratification and ultimate implementation of such a truly global instrument.

Never before had such a serious attempt been made to reconcile the widely diversified, often conflicting interests of so many countries.

“Obviously, the rights that the [UNCLOS] confers to explore and exploit ocean resources are yet to be translated into tangible or substantial benefits for most States.

The difficulties affecting many States, especially developing States that are yet unable to reap the benefits under the new regime, are several and varied.

There is a lack of awareness of the total development potential of the marine sector.

National capacity for development has been strained, and capabilities in the ocean sector are limited.

Available financing and external assistance have been insufficient. Other national priorities have consumed scarce financial resources. While marine technology has advanced rapidly, the acquisition of new technologies is beyond the reach of most of us.

We are inadequately equipped to deal with the environmental implications of marine development and other ocean uses.

We cannot respond to catastrophes or threats to the ocean ecology. The development of skilled manpower in several disciplines remains a distant goal.

“We cannot respond to catastrophes or threats to the ocean ecology. The development of skilled manpower in several disciplines remains a distant goal.

We cannot achieve sustainable development globally without putting in place the basic rules relating to the exploitation of the resources that are to be found on the seabed and the subsoil thereof.

The area of our common heritage cannot be subject to appropriation. It must be reserved exclusively for peaceful purposes and not be ravaged by force. Its benefits and yields must be distributed equitably having regard to the special needs and peculiar interests of developing and landlocked countries.

The entire process truly represents a high-water mark in the progressive development and codification of international law, as well as the role of the [UN] in finding universal solutions to universal problems.

This is indeed a significant expression of our recognition that the rules of right can indeed and always ought to be made to triumph over the rules of might.

“This instrument recognizes the interdependence and the indivisibility of the ocean space.

It accepts that selective application is impossible, that rights to explore and exploit the living and non-living resources entail legally binding and non-concomitant responsibilities to preserve and protect the marine environment.