3 IMPLEMENTATION OF THE STRATEGIC PLAN 2019-2023



Implementation of the Strategic Plan 2019-2023

Developed in consultation with ISA members and other relevant stakeholders, the Strategic Plan of ISA for the period 2019-2023 was adopted by the Assembly at its 24th session in July 2018.¹

The plan includes nine strategic directions that will guide the work of ISA over the five-year period. The actions necessary to achieve the strategic objectives listed in the Strategic Plan have been further identified and complemented by corresponding expected outputs in the High-Level Action Plan adopted by the Assembly at its 25th session in July 2019.

A snapshot of the nine strategic directions is presented below.



SD7

Ensure equitable sharing of

derived from deep-seabed miningStudies of the conceptual basis for equitable

benefits

financial and other economic

sharing commissioned in 2019 and 2020

FC working on criteria to be used for the equitable

sharing of financial and other economic benefits

Strategic Directions 2019-2023



Realize the role of the International Seabed Authority in a global context

SD1

ISA is committed to contribute to the timely and effective achievement of the 2030 Agenda "Transforming our world: the 2030 Agenda for Sustainable Development",2 including SDG 14 "Conserve and sustainably use the oceans, seas and marine resources for sustainable development".

The contribution of ISA will be the result of the implementation of the economic, environmental and social mandates given to it by UNCLOS and the 1994 Agreement. As indicated in the Strategic Plan for 2019-2023,³ such mandates include:



Ensure that activities in the Area are carried out for the benefit of humankind as a whole.⁴



Ensure effective protection for the marine environment⁵ and of human life.⁶



Promote and encourage the conduct of marine scientific research in the Area⁷ and the effective participation of developing States in activities in the Area.8



Foster healthy development of the world economy and balanced growth of international trade.9



Ensure the development of the resources of the Area,10 the enhancement of opportunities for all States parties¹¹ and the development of the common heritage for the benefit of humankind as a whole.

ISA is also committed to contributing to the implementation of international law as reflected in UNCLOS, including through active engagement with its members to achieve effective and uniform implementation of relevant international legal instruments through State practice.

The work of ISA in that regard is reported annually through the information provided by the Secretary-General to the United Nations General Assembly and the meeting of the States parties to UNCLOS. Furthermore, ISA contributes systematically to the report of the United Nations Secretary-General on Ocean Affairs and the Law of the Sea and to the United Nations Resolution on Oceans and the Law of the Sea.12

The resolution A/RES/74/19 on oceans and the law of the sea adopted by the General Assembly on 10 December 2019:

- "Reaffirm[s] the importance of the work of the International Seabed Authority (the Authority) in accordance with 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 Part XI Agreement)" (p.8)
- · "Recognizes the importance of the responsibilities entrusted to the Authority by articles 143 and 145 of the Convention, which refer to marine scientific research and protection of the marine environment in the Area, respectively" (para.68, p.16); and
- · "Commends the progress in the work of the Authority" (para.74, p.17)

Participation in IGC-BBNJ

The Secretariat of ISA has participated in the three substantive sessions held so far of the Intergovernmental Conference on an international legally binding instrument under the United Nations Convention on the

Side event at the 3rd session of the IGC-BBNJ ISA DeepData: Sharing Biodiversity Knowledge for the Benefit of Humanity 26 August 2019



Photo by IISD/END

ISA convened a side event in collaboration with the Natural History Museum of London, the French Natural History Museum and the National Marine Biodiversity Institute of Korea as well as delegates from Norway, Algeria and the UK, to promote the DeepData database (see p.35), which was publicly launched in July 2019 during the 25th session of the ISA Assembly.

Participants discussed how the environmental information of DeepData, including the biodiversity data, can contribute to the conservation and sustainable use of BBNJ, including through capacity-building and scientific partnerships. The event explored possible cooperative initiatives with scientific communities and other stakeholders that could enhance deep-sea biodiversity knowledge by building on the work of ISA. It also considered opportunities that DeepData could create in the context of the BBNJ.

- UNGA, Resolution 70/1.
- ISBA/24/A/10, para.9.
- UNCLOS, art.140(1)
- UNCLOS, art.145
- UNCLOS, art.146
- UNCLOS, art.143 UNCLOS, art.14
- 9 UNCLOS, art.150
- ¹⁰ UNCLOS. art.150(b)
- ¹¹ UNCLOS, art.150(g)
- ¹² https://undocs.org/A/RES/74/19

Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (IGC-BBNJ).

Opening the event, Co-Chair Alfonso Ascencio-Herrera, ISA Deputy to the Secretary-General, noted:

"The birth of the ISA database, DeepData, represents the collective efforts by the contractors, the ISA Legal and Technical Commission and the ISA Secretariat, to enable ISA to connect its knowledge of the deep-sea environment and its resources for the benefit of all of humanity. With the launch of DeepData, the environmental data, including biodiversity information, can be accessed by the public around the world."

ISA contribution to the 2030 Agenda for Sustainable Development

Through:

- · The promotion of the rule of law
- The development of effective, accountable and transparent institutions
- · Responsive, inclusive, participatory and representative decision-making
- · Strengthened participation of developing countries in the institutions of global governance

The contribution of ISA in broadening and strengthening participation of developing countries in the institutions of global governance is central. Through training programmes, ISA ensures the promotion of transfer of skills and knowledge to developing States and particularly LLDCs, LDCs and SIDS.

• By increasing scientific knowledge, research capacity and the transfer of marine technology · Through the advancement of a common and uniform approach to the sustainable use of

Voluntary commitments to support the implementation of SDG 14



ocean resources

The first United Nations Ocean Conference to Support the Implementation of SDG 14 was held in New York from 5 to 9 June 2017. The Conference devoted special attention to the health of the oceans and seas and called upon stakeholders to make voluntary commitments to help advance the implementation of SDG 14. ISA registered seven voluntary commitments.



Enhancing the role of women in marine scientific research #OceanAction15467



2 SG's Award for Excellence in Deep-Sea Research #OceanAction15796



Deep-sea long-term observatories



Deep-sea taxonomic atlases Action17776



Abyssal Initiative for Blue Growth #OceanAction16538



nAction16374



Mapping Africa's deep-sea resources #OceanAction16494

Supporting Africa's Blue Economy



with the International Labour Organization

developing States playing a central role in marine scientific research. Together, we must build the capacity of women and girls towards sustainable, inclusive

Strategic partnerships 2019-2020 9 UNDESA UN-OHRLLS CIL ٢ United Nations -ucational, Scientific and -Cultural Organization - Intergovernment Oceanographic Commission кмі SARGASSO SEA 6 KIOST IMO $\overline{\mathbf{C}}$ <u>.</u>. IHO (3)ICAS Communauté du Pacifique SD1 кмі SD9 Realize the role of ISA in a global context ۲ NUS Commit to ۲ UNDESA transparency UNDESA ۲ SD2 SD5 Strenghten the regulatory framework for activities in the Area Build capacity for developing States 5 IMO CILL CENTRE OF INTERNATIONAL LA National University of Singapo Norad Norad Scr |**||i**ī SD4 SD3 African () Union African () Union Pacific Community Communauté du Pacifique Protect the marine environment Promote and encourage marine scientific research in the Area DALHOUSIE UNIVERSITY United Nations attenuit Scientific and Calural Organization Intergovernment Commission ٢ United Nations - Intergovernment Educational, Scientific and - Oceanographic Cubural Organization - Commission IIIII SIRO EU/ ATLANTIC REMP PROJECT 🖰 тавік КМІ KIOST DØS Pew Research Center 💥 **OBIS** ICES CIEM 3 4



Photos: GEOMAR / ISA

Strengthen the regulatory framework for activities in the Area

SD2

Over the last 25 years, ISA has developed a comprehensive set of rules, regulations and procedures dealing with prospecting and exploration for mineral resources in the Area. As exploration activities progress, a major effort is currently underway to develop exploitation regulations involving a broad stakeholder consultation. Once agreed, the exploitation regulations will join the adopted exploration regulations to complete what will become a complete "Mining Code" for the Area.

Exploration regulations

ISA has adopted three sets of exploration regulations covering the prospecting and exploration for polymetallic nodules (2000 and revised in 2013),¹³ polymetallic sulphides (2010)¹⁴ and cobalt-rich ferromanganese crusts (2012).¹⁵

The regulations are supplemented by a series of recommendations for the guidance of contractors and sponsoring States issued by the Legal and Technical Commission (LTC) and periodically updated. Recommendations related to the following topics are currently available:

- Training programmes under plans of work for exploration¹⁶
- The assessment of the possible environmental impacts arising from exploration for marine minerals in the Area (updated in 2020)¹⁷
- The reporting of actual and direct exploration expenditure ¹⁸
- The content, format and structure of annual reports¹⁹
- The relinquishment of areas under the exploration contracts for polymetallic sulphides and cobalt-rich ferromanganese crusts²⁰

Exploitation regulations and standards and guidelines

ISA began to develop regulations to govern the exploitation of mineral resources in the Area in 2014 with a series of scoping studies. The aim of the regulations is to balance economic needs with rigorous environmental protection. Once in place, the regulations will require any entity planning to undertake activities in the international seabed area to abide by stringent global environmental requirements. The regime to be established also requires a portion of the financial rewards and other economic benefits from mining to be paid to ISA to then be shared according to "equitable sharing criteria".

Draft exploitation regulations have been prepared by the LTC following a transparent process and a series of broad public consultations.²¹ The draft regulations will need to be adopted by the Council before any contract for mineral exploitation can be issued. The Council has set itself a target date of 2020 to adopt the regulations. Following consideration of the draft prepared by the LTC at the second part of the 25th session in July 2019, the Council agreed to open the regulations to a further round of consultations.²² Thirty-nine written submissions were received from members of the Council, other members of ISA, observers and other stakeholders.²³ The Council continued its consideration of the draft regulations at the first part of the 26th session in February 2020 and agreed on a working method to move the process forward.²⁴

Key outstanding issues include the financial model and payment mechanism for deep-sea mining, as well as the potential impact of mineral production from the Area on the economies of developing land-based producers. Concerning the payment mechanism, an open-ended working group of the Council, chaired by Mr. Olav Myklebust (Norway), has held three meetings to discuss the various options and associated rates of payment. The Council has decided to convene a fourth meeting of the working group in advance of the second part of the 26th session of the Council and has also requested the Secretariat to prepare a report to further refine the two-stage fixed *ad valorem* royalty mechanism and the two-stage progressive *ad valorem* royalty mechanism under consideration, as well as a comparative study of seabed mining and land-based mining.

A major study on the potential economic impact of mineral production from the Area was commissioned and released in May 2020.²⁵

During the first part of the 26th session, the LTC initiated the development of standards and guidelines,²⁶ putting the priority on those deemed necessary to be in place by the time the regulations on exploitation are adopted. Other standards and guidelines require that the Secretariat advance certain studies before work on drafting the guidelines can start.²⁷

National laws and regulations

Exploration and exploitation activities in the Area may be carried out by the Enterprise (see p.43) or, in association with ISA, by States parties or State enterprises or natural or juridical persons. State enterprises or natural and juridical persons must satisfy two requirements: they must be either nationals of a State party or effectively controlled by it or its nationals; and they must be "sponsored" by a State party.

Under UNCLOS, sponsoring States are required to take "all measures necessary" to ensure compliance by the sponsored contractor with UNCLOS and the terms of their contract. As recalled by the Seabed Disputes Chamber of the ITLOS in its Advisory Opinion of February 2011, the sponsoring State must adopt laws, regulations and administrative measures within the framework of its legal system.

- ¹⁷ ISBA/25/LTC/6/Rev.1
- ¹⁸ ISBA/21/LTC/11
- ¹⁹ ISBA/21/LTC/15
- ²⁰ ISBA/25/LTC.8
- ²¹ ISBA/25/C/WP.1; ISBA/25/C/18.
- 22 ISBA/25/C/37

²³ In addition to the compilations of proposals and observations sent and posted on the website, the Secretariat prepared an overview of the main thematic issues raised in the written submissions (ISBA/26/C/2), as well as a collation of the specific drafting proposals sent by members of the Council (ISBA/26/C/CRP.1)

24 ISBA/26/C/11

What is a sponsoring State?

Sponsoring States have an essential role to play in the supervision of activities in the Area.

Under UNCLOS the sponsoring State must ensure that activities in the Area are carried out in conformity with international law. The sponsorship mechanism ensures that entities that are otherwise subject to domestic legal systems have to comply with the obligations set out in UNCLOS.

In 2011 the Assembly requested the Secretary-General to prepare a report on the laws, regulations and administrative measures adopted by sponsoring States and other members of ISA with regard to activities in the Area.

As of June 2020, the following 33 States had provided information: Belgium, Brazil, China, the Cook Islands, Cuba, Czechia, the Dominican Republic, Fiji, France, Georgia, Germany, Guyana, India, Japan, Kiribati, Mexico, Micronesia (Federated States of), Montenegro, Nauru, the Netherlands, New Zealand, Nigeria, Niue, Oman, the Republic of Korea, the Russian Federation, Singapore, Sudan, Tonga, Tuvalu, the United Kingdom, the United States and Zambia. A submission was also received from the secretariat of the Pacific Community (SPC). The information provided, with links to relevant national legislation can be accessed on the ISA website.

The secretariat has prepared a comparative study of existing national legislation with a view to deriving common elements.²⁸

¹³ ISBA/19/C/17, annex.

¹⁴ ISBA/16/A/12/Rev.1, annex

¹⁵ ISBA/18/A/11, annex ¹⁶ ISBA/19/ITC/14

https://www.isa.org.jm/files/documents/impactstudy.pdf
ISBA/25/C/19/Add.1, Annex and Enclosures I and II

ISBA/25/C/19/
ISBA/26/C/12

²⁸ https://isa.org.jm/files/files/documents/compstudy-nld.pdf

Protect the marine environment

Environmental protection is at the forefront of ISA responsibilities. UNCLOS requires ISA to adopt rules, regulations, and procedures designed to prevent, reduce and control pollution and other hazards to the marine environment.²⁹

SD3

To be approved, even exploration activities must be accompanied by an assessment of their potential impact, along with a description of a programme for oceanographic and environmental studies designed to build a baseline prior to exploitation.

The work of ISA to protect the marine environment focuses on three areas:

- · Continued development of the regulatory framework, including environmental standards and guidelines.
- The review and development of regional environmental management plans (REMPs) in priority areas where there are exploration contracts.
- · Review of data collected from environmental baseline studies, monitoring and assessment conducted by the contractors.

Environmental regulations, standards and guidelines

The exploration regulations include strong and robust environmental safeguards. The LTC is responsible for keeping these regulations under review. For the exploration phase, the LTC issued in 2013 its Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals. These were revised by the LTC in 2019³⁰ and 2020.³¹ The recommendations describe the procedures to be followed in the acquisition of baseline data and the monitoring to be performed during and after any activities that have the potential to cause serious harm to the environment. They also specify activities

requiring an environmental impact assessment (EIA) during exploration, including testing of mining components and other activities, and set out a detailed process for the review of the environmental impact statement by the LTC.

All the data and information submitted by contractors are compiled, organized and developed in the ISA DeepData database by the ISA Secretariat, and environmental data are made accessible to the public through the ISA website. Contractors are also obliged to monitor and report on the effects of their activities on the marine environment. The results are to be reported annually to ISA.

Regional environmental management plans

In line with the strategy endorsed by the Council at its 25th session,32 ISA made significant progress towards a standardized approach for the development of REMPs with the preparation in 2019 of a REMP guidance document and the organization of two workshops on the review and development of REMPs for the Clarion-Clipperton Zone (CCZ) and the Northern Mid-Atlantic Ridge (MAR), respectively.

ISA is also in the process of developing REMPs for the Indian Ocean and the North West Pacific.

What are REMPs?

REMPs are a vital tool to protect the marine environment. They provide the relevant organs of ISA, as well as contractors and their sponsoring States, with proactive environmental management measures and tools, including area-based management tools, to support informed decision-making that balances resource development with the protection of the marine environment at regional scale.

REMP guidance document

The REMP guidance document³³ was prepared by the Secretariat and presented to delegations and stakeholders at a Council side event in July 2019. As requested by the Council during part I of the 26th session, the document is



Workshop on the CCZ biodiversity synthesis

Friday Harbor, Washington, United States - 1-4 October 2019

The workshop was organized by ISA in collaboration with the DeepCCZ Project of the University of Hawaii in order to review and incorporate in the CCZ-EMP a decade worth of new data on deep-sea biodiversity in the region.³⁴

The workshop outcomes supported the key scientific approach underlying the design of the current network of APEIs in the CCZ and generated scientific analysis to inform the consideration by the LTC of possible additional APEIs to improve representativity and address any spatial gaps in the current APEI network (see CCZ map on p.50). The results were discussed during an informal workshop of the LTC and shared with a wide range of stakeholders in a Council side event organized in February 2020.

being continuously enriched by the LTC and thanks to inputs from members, workshops participants and other stakeholders.

The document outlines the process and scientific approaches for developing REMPs and was used as a basis for the organization of the two REMP workshops.

The CCZ exploration area

The CCZ contains rich deposits of polymetallic nodules. Its environmental management plan (EMP) was approved in 2012 and initially created a network of nine areas of particular environmental interests (APEIs) entirely protected from mining. The APEIs were placed across the CCZ to represent the full range of biodiversity and habitats in the region. Collectively, they cover 1.4 million km².

Participants in the Friday Harbor workshop reviewed an extensive report prepared by the DeepCCZ Project summarizing the latest scientific data and information on biodiversity in the region as well as additional datasets brought by experts. This analysis will help the LTC to decide whether to recommend additional APEIs.

³⁴ For background documents and the workshop report, please refer to https://www.isa.org.jm/workshop/deep-ccz-biodiversity-synthesis-workshop

²⁹ UNCLOS, art.145

³⁰ ISBA/25/LTC/6

³¹ ISBA/25/LTC/6/Rev.1

³² ISBA/25/C/13.

³³ Prepared by the Secretariat and available at: https://ran-s3.s3.amazonaws.com/isa.org.jm/s3fs-public/files/documents/remp_guidance_.pdf

Workshop on the development of a REMP for the Area of the northern MAR

Évora, Portugal – 25-29 November 2019

The workshop was convened by ISA in collaboration with the Atlantic REMP Project of the European Commission and the Government of Portugal with the objective to facilitate the development of a REMP for the area of the Northern MAR.³⁵

The workshop participants reviewed available scientific information, including an extensive data report containing more than 70 GIS overlays and a report on regional environmental assessment, and considered three complementary approaches for managing the region: adaptive management, area-based management and qualitative modelling for assessing cumulative impacts from future exploitation activities.

The MAR exploration area

The MAR is an elevated area of seafloor that runs roughly north-south through the middle of the Atlantic Ocean. It is rich in polymetallic sulphides deposits, which can contain economic proportions of metals such as copper, zinc, lead, gold and silver.

Participants also identified and categorized key sites and areas in the MAR which would require enhanced management to achieve effective protection of the marine environment.

The workshop results will provide the scientific basis for a future workshop, to be held in Saint Petersburg, Russia, which will identify a range of environmental management measures for the REMP development.



³⁵ For background documents and the workshop report, please refer to https://www.isa.org.jm/workshop/workshop-regional-environmental-managmentplan-area-northern-mid-atlantic-ridge

Promote and encourage marine scientific research in the Area

SD4

One of ISA key responsibilities is to promote and encourage the conduct of marine scientific research in the Area, and coordinate and disseminate the results of such research and analysis when available.³⁶ Particular emphasis is placed on research related to the environmental impact of activities in the Area.

The DeepData database

Enhanced understanding of the deep-seabed environment and ecosystems is central to identifying scientifically robust and adequate measures required to protect the marine environment.



DeepData was launched by the Secretary-General of ISA in Kingston, Jamaica during the commemoration day of ISA 25^{th} anniversary on 25 July 2019. Photo by IISD/ENB

The research undertaken in relation to both living and non-living resources as part of exploration activities in the Area is the main source of data and knowledge currently available.

ISA systematically standardizes, collects, and centralizes in DeepData all data and information related to mineral resources and the environment of the deep seabed and the associated water column.

DeepData is a spatial, internet-based data management system. Currently, the database contains biological, physical

- ³⁹ ISBA/24/A/2, para.56; ISBA/25/A/2, para.95.
- 40 ISBA/26/A/4.

and geochemical parameters of the marine ecosystems from the seafloor to the ocean surface covering approximately 1 per cent of the Area (correlating to the area under exploration). Environmental data is open for public access and use, which will further enhance our collective ability to protect the marine environment in the Area.

Data contained in DeepData were made available for analysis to inform the two REMP workshops on the CCZ biodiversity synthesis and on the Northern MAR. Workshop participants provided useful feedback, including recommendations for the development of new features. The functionality of DeepData will be progressively enhanced and upgraded in future.

United Nations Decade of Ocean Science for Sustainable Development

On 5 December 2017, the United Nations proclaimed the United Nations Decade of Ocean Science for Sustainable Development, to be held from 2021 to 2030.³⁷ IOC-UNESCO has been tasked with the preparation of the implementation plan of the Decade during the period 2018-2020 in "consultation with Member States, specialized agencies, funds, programmes and bodies of the United Nations, as well as other intergovernmental organizations, non-governmental organizations and relevant stakeholders".³⁸

ISA will actively participate in the Decade, whose objectives are at the core of ISA mandate to promote and encourage the conduct of marine scientific research in the Area, and especially to facilitate effective participation of developing States in deep-sea exploration and research programmes.

Since 2017, ISA has been committed to actively contribute to all stages of preparation and implementation of the Decade. Dialogue and discussions are ongoing between ISA and IOC-UNESCO, and ISA had provided comments on the draft science action plan for the Decade in November 2019.³⁹ In order to formalize and organize its contribution, ISA has also developed its own action plan in support of the Decade, which will be presented to the Assembly at its 26th session.⁴⁰ This action plan is built on the strategic directions, high-level actions and associated outputs adopted by ISA members under the ISA Strategic Plan and the High-Level Action Plan for 2019-2023.

³⁶ UNCLOS, art.143(2).

³⁷ A/RES/72/73.

 $^{^{\}mbox{\tiny 38}}$ $\,$ UNGA resolution A/RES/72/73, paragraphs 292 to 295 $\,$

Build capacity for developing States

UNCLOS sets out specific requirements relating to capacitybuilding and technology transfer for developing States. ISA is required to take measures to acquire technology and scientific knowledge relating to activities in the Area⁴¹ and to ensure a variety of both capacity-building and technology transfer mechanisms for developing States.⁴²

In line with this, States are required by UNCLOS to cooperate actively through ISA and with competent international organizations to encourage and facilitate the transfer to developing States, their nationals and the Enterprise, of skills and marine technology with regard to activities in the Area.43

ISA is committed to ensure that all capacity-building programmes and measures implemented are meaningful, tangible, efficient, effective and targeted at the needs of developing States, as identified by them. In 2019, the Secretariat commissioned a review of all capacity-building programmes and initiatives implemented by ISA since 1994. The key findings of this report were discussed at an international workshop on "Capacity development, resources and needs assessment" that took place on 10-12 February 2020 in Kingston.

In April 2020, ISA members, and developing States in particular, were consulted to assess key national capacitybuilding priorities in order to inform the development of a dedicated strategy. This will ensure that all programmes and activities implemented by ISA address the needs identified by developing states, in particular geographically disadvantaged States, LDCs, LLDCs and SIDS.

Contractor training programme

The contractors that have signed exploration contracts with ISA have a legal obligation⁴⁴ to provide and fund training opportunities for professionals from developing States and for ISA.

Between 2013 and 2019, a total of 146 training placements were provided by 23 contractors, including at-sea training, engineering training, fellowship training (including Master's and PhD programmes), internships, workshops and seminars. All training opportunities are advertised on ISA website and social media platforms and are circulated to ISA members.

As of June 2020, 31 candidates have been selected for placements in 2020 pursuant to seven exploration contracts, including 11 women.

African group: 13 Asia-Pacific group: 12 GRULAC: 5 **Observer States: 1**

********** ********* İİİİİ

If all existing contracts and approved plans of work are implemented according to the recommendations made by the LTC with respect to training programmes, approximately 270 additional training placements will have been made available by contractors between 2019 and 2023.

Between 2010 and 2020, 420 individuals have benefited from ISA capacity-building programmes and initiatives

SD5

	Africa	Asia Pacific	Eastern Europe	GRULAC	WEOG	Observer States	Women	Total
Contractor training	5 2	48	3	1			63	146
EFMSR	55	62		26		7	58	150
Internship		12		9	10	3	24	34
Abyssal Initiative		25					15	25
for Blue Growth								
ADSR project	65						20	65
Total	172	147	3	36	10	10	180	420

⁴¹ UNCLOS, art.144(1)(a)

42 UNCLOS. art.274.

43 UNCLOS art 273

⁴⁴ Pursuant to art.15 of Annex III of UNCLOS, and Regulation 27 of the Regulations of Prospecting and Exploration for Polymetallic nodules (ISBA/19/C/17), Regulation 29 for Polymetallic Sulphides (ISBA/16/A/12) and Regulation 29 for Cobalt-rich Ferromanganese Crusts (ISBA/18/A/11). What trainees say



Wycliff Tupiti, Solomon Islands

"The deep sea is a vast and complex environment, most of which is still largely unexplored. It is rich in minerals, which we are now aware of and that could potentially supply us with important metals for decades. To be able to undertake this research at the University of Plymouth in England has been an amazing experience for me. The University not only has the facilities and expertise to conduct and support this research but it also offers a great learning environment. For me, as a Pacific Islander, it is important to get involved in the developments surrounding minerals from the deep sea, especially in the Pacific region."

Wycliff joined a PhD training programme on polymetallic nodules in 2016 supported by UKSRL through a grant to the University of Plymouth. He had just submitted his thesis at the time of this report.



Rose Kautoke, Tonga

Rose did her internship at ISA in 2013. She is now Deputy Solicitor General and heads the Legal Advice and International Law Division of the Attorney General's Office of Tonga.

Photo: IISD/ENB

Safiyya Sedick, South Africa

"During my training I was able to learn so much by being part of a lot of activities that I would never have had the chance to be a part of if I had stayed in South Africa. There are so many organisms in the deep sea that we don't know about and that haven't been documented yet. I want to contribute to documenting those organisms and understand their role in the environment."

Safiyya participated in a contractor training programme provided by KIOST between March and April 2018. She helped collect samples for baseline surveys in the CCZ. Safiyya is now taxonomist in South Africa.



"My internship at ISA was my first ever multilateral exposure. I feel that it was really crucial in helping me understand more about the topic itself, deep-sea mineral exploration and exploitation and the law of the sea, but also, how things work at the multilateral level. It has been instrumental particularly in the work I've been doing for my government in ocean engagements and international engagements. I'm forever grateful for the platform ISA provided for me, to help me learn in what I would say is a safe environment."

The Endowment Fund for Marine Scientific Research in the Area

The EFMSR aims to promote and encourage the conduct of marine scientific research in the Area for the benefit of humankind as a whole by supporting the participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes and by providing the with opportunities to participate in international technical and scientific cooperation, including through training, technical assistance and scientific cooperation programmes.

Contributions to the EFMSR may be made by ISA, its members, other States, relevant international organizations, academic, scientific and technical institutions, philanthropic organizations, corporations and private persons.

An advisory panel is appointed by the Secretary-General for periods of three years to evaluate and make recommendations on applications for assistance from the EFMSR.



Current members of the advisory panel for the EFMSR (December 2017 - November 2020)

Dr. Georgy Cherkashov (reappointed)	Deputy Director, Institute for Geology and Mineral Resources of the Ocean, Russian Federation			
H.E. Tian Qi	Permanent Representative to the International Seabed Authority and Ambassador of the People's Republic of China to Jamaica			
H.E. Josep María Bosch Bessa	Permanent Representative to the International Seabed Authority and Ambassador of Spain to Jamaica			
H.E. Inés Fors Fernández	Permanent Representative to the International Seabed Authority and Ambassador of the Republic of Cuba to Jamaica			
H.E. Janet Omoleegho Olisa	Permanent Representative to the International Seabed Authority and Ambassador of the Federal Republic of Nigeria to Jamaica			
Mr. Siosiua Utoikamanu	Economic policy and public financial management specialist, Tonga			
Mr. Alan Evans	Head, International and Strategic Partnership Office, National Oceanography Centre, Southampton, United Kingdom			

Internship programme

ISA accepts interns on a limited basis, depending on the specific needs of respective offices and their capacity to effectively accommodate, support and supervise the interns.

As of June 2020, a total of 34 university graduates or government officials from Australia, Belgium, Brazil, Chile, China, Colombia, the Cook Islands, Ecuador, Fiji, France, Germany, Italy, Jamaica, Japan, Norway, Papua New Guinea, South Korea, Tonga, the United Kingdom and the United States have participated in the internship programme.

One significant constraint in providing internships, especially to individuals from developing countries, is the absence of funding allowing ISA to support interns with such expenses as travel and subsistence.

In 2019, a donation of US\$10,000 was received from the National Oceanography Centre in the United Kingdom to assist up to two interns from developing countries. Following a call for nominations, the two selected candidates from China and the Cook Islands (both female) were awarded placements with the Office of Environmental Management and Mineral Resources of ISA, now scheduled to begin in October 2020.

Another donation of US\$25,000 was made by France in May 2020 to support the participation of two scientists from developing States in internships programmes at Ifremer.

Secretary-General Award for Excellence in Deep-Sea Research

The Secretary-General decided in 2017 to launch the Centre, Second Institute of Oceanography Secretary-General's Award for Excellence in Deep-Sea Research45 (#OceanAction15796). This award intends to recognize and encourage the achievements of young In February 2019, the Government of Monaco announced researchers from developing countries who have made that it would support the Award with a grant to be used outstanding contributions to the advancement of scientific to hand out a prize to the 2018 and 2019 awardees and knowledge of the deep-sea environment or to the cover the cost of attendance of the 2019 awardee at the development of environmentally sustainable regulatory 2019 annual session, as well as the publication fees of frameworks. his research in a relevant scientific (open-access) journal.

Nominations and applications must be supported by two sponsors and should include a letter from the nominator summarizing the research and outlining the national or international significance of the work submitted, the curriculum vitae of the candidate and any publication derived from the research undertaken.

The Secretary-General selects the awardee based on the recommendations made by an advisory committee of internationally recognized experts in the field of deep-sea science, social sciences and humanities with experience in the law of the sea, international law or management of marine resources. Members of the advisory committee are appointed by the Secretary-General for a period of 3 years. In 2019 the award went to Dr. Mauricio Shimabukuro from Brazil for his extensive work on the ecology of the South Atlantic and deep-sea exploration experience (see p. 62).

Current members of the advisory committee for the Secretary-General's Award for Excellence in Deep-Sea Research

- **David Billet,** Director, Deep Seas Environmental Solutions Ltd
- Biliana Cicin-Sain, Professor/Director/President, Global Ocean Forum
- **Lawrence Folajimi Awosika**,Vice Chairman of the Commission on the Limits of the Continental Shelf
- **Annick de Marffy-Mantuano**, President of the Scientific Board of the Economic Law of the Sea Institute, Monaco
- **Chunhui Tao,** Researcher/Deputy Director of China Deepsea Exploration Tech and Geoscience R&D Centre, Second Institute of Oceanography

⁴⁵ See ISBA/ST/SGB/2017/6, Secretary-General's Award for Excellence in Deep Sea Research, Secretary General's Bulletin, 7 August 2017.

Abyssal Initiative for Blue Growth

ISA and UN DESA registered, at the 2017 United Nations Ocean Conference, a joint voluntary commitment for the implementation of SDG 14: "The Abyssal Initiative for Blue Growth" (#OceanAction16538). The commitment is being enacted through the Abyssal Initiative project, carried out by ISA in partnership with UN DESA, Norway and SPC. The Abyssal Initiative builds on the success of the SPC-EU Deep Seabed Minerals project⁴⁶ and aims to:

- Ensure that P-SIDS sponsoring States are in a position to comply with their national and international obligations as seabed activities progress.
- Ensure that the necessary governance structures and mechanisms required are in place in order to achieve these objectives in an effective manner.

A workshop was organized by ISA and UN DESA in the Kingdom of Tonga in February 2019 involving representatives from nine Pacific island countries as well as international (ISA, UN DESA, Commonwealth Secretariat) and regional organizations (SPC, PIDF, PIFS), civil society and non-governmental organizations (PIANGO, Council of Churches), the private sector (DeepGreen, TOML) and representatives of the LTC.

Four categories of capacity-building needs were identified, leading to the organization of four workshops in 2019/2020.

Workshop	Specific capacity-building needs addressed			
Yaren, Nauru 7-8 August 2019	Obligations and responsibilities of sponsoring States under international law			
Tarawa, Kiribati 2-13 August 2019	Marine scientific research and access to the results of such research			
Cook Islands Scheduled: 2020	Environmental management and monitoring of exploration activities in the Area			
Tonga Scheduled: 2020	Benefit sharing			

A toolkit will also be developed to specifically guide developing States which are sponsoring or wish to sponsor activities in the Area. The tailored publication will reflect the specific constraints faced by developing States and provide essential information and guidance on the international law obligations they have to abide by.

The Abyssal Initiative is funded through grants received from UN DESA (US\$190,438) and Norway (US\$260,000) as well as extra-budgetary in-kind contributions from SPC, the Commonwealth Secretariat, Singapore, GSR, Marawa Research and Exploration Ltd, the UK, NORI and TOML.

The Africa Deep Seabed Resources (ADSR) project

ISA registered another joint voluntary commitment with the African Mineral Development Centre (AMDC) of the United Nations Economic Commission for Africa (since transferred to the African Union) to foster international and regional cooperation in support of the sustainable development of Africa's Blue Economy (#OceanAction16374).

The commitment is being enacted through the ADSR project implemented by ISA in partnership with the African Union and NORAD. All activities are undertaken in close cooperation with States parties to UNCLOS, relevant international and regional organizations, the scientific community and academia.

The project aims to organize a series of workshops across the continent to facilitate discussion between government representatives and experts to identify capacity-building priorities. Two workshops have taken place so far while four more are scheduled for 2020-2021 (Mauritius, Morocco, Ethiopia and Senegal).

 Abidjan, Côte d'Ivoire - October 2018. The workshop brought together representatives from 17 francophone African countries (Benin, Burkina Faso, Burundi, Cameroon, the Central African Republic, Chad, Congo, the Democratic Republic of the Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea, Mali, Niger, Senegal and

⁴⁶ Implemented by SPC in collaboration with the EU between 2011 and 2016, the SPC-EU Deep Sea Minerals Project was designed to help Pacific island countries improve the governance and management of their deep-sea mineral resources through improved legal frameworks and increased technical capacity. One of the key dimensions of the project consisted in assisting the 15 participating countries in building their capacities in marine minerals, policy development, fiscal and taxation regimes and environmental monitoring. More information is available at https://dsm.gsd.spc.int/ Togo) as well as international and regional organizations, the scientific community and academia.

 Pretoria, South Africa - May 2019. The workshop was organized in partnership with the Government of South Africa and the African Union. It brought together 40 government representatives from Angola, Botswana, Eswatini, Lesotho, Liberia, Malawi, South Africa and Zambia; representatives of ISA; members of the LTC; representatives of the African Union and DOALOS; the Kingdom of Norway and experts from Africa. Former ISA trainee Safiyya Seddick was also invited to share the benefits gained from her experience.

The ADSR project is funded thanks to grants received from NORAD (US\$500,000) and the African Development Bank (US\$25,000) as well as in-kind contributions received from the UK, GSR and South Africa.

Under the project ten national experts from African States, including five women, will also be deployed within the ISA Secretariat in the course of 2020. Such secondments aim, on the one hand, to take advantage of existing capacity-building initiatives to provide national experts with technical skills on deep-seabed related matters and, on the other hand, to enable the ISA Secretariat to benefit from the contribution of such experts towards advancing specific tasks identified in partnership with the LTC. The following experts have been selected for placement in 2020 among over 50 applicants.

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* Postponed due to COVID-19

The first two experts hosted by the Secretariat were Ms. Tini Guitoba and Ms. Judith Owusu.



Tini Guitoba

Legal Assistant, Directorate of Maritime Affairs, Togo

"Having the opportunity to participate in the deployment of national experts within the ISA Secretariat was an incredible experience. I have undertaken research on African ocean policies and Blue Economy issues. I also participated in several activities including attending meetings of key governing bodies, namely the ISA Council and the Legal and Technical Commission. I will apply the knowledge gained during my deployment in my current role and assist my government."



Judith Owusu Geochemist, Ghana National Petroleum Corporation

"In 2017, I participated in the ISA contractor training programme and joined a research vessel with JOGMEC. This was a unique experience through which I learned a lot. However, I was interested in learning more, particularly in relation to the governance mechanisms to regulate and manage seabed mining in the Area. This motivated me to apply for the deployment to ISA Secretariat through the ADSR project. Upon my return to Ghana, I will be able to share the knowledge gained with ISA experts. My company has decided to establish a specific unit where we will continue to develop our expertise and capacities."

Ensure fully integrated participation by developing States

ISA has the duty to promote the participation of developing States in activities in the Area. It has been putting the emphasis on identifying and promoting opportunities for personnel from developing States to be trained in marine science and technology. The signing on 18 October 2019 of a memorandum of understanding between ISA and China for the establishment of the Joint Training and Research Center (JTRC) in Qingdao, China was a major milestone.

ISA-China Joint Training and Research Center (JTRC)

The JTRC will support the fulfillment of ISA responsibilities and obligations relating to capacity building, marine scientific research, and international cooperation for the development of marine technology. Under the memorandum, ISA and China will work together to promote knowledge of the deep ocean and its environment, and enable developing countries to benefit from the mineral resources of the international seabed area.

The JTRC will provide training programmes in marine science and technology, as well as in techniques for marine scientific research. It will also support the conduct of collaborative research programmes, along with the organization of conferences and workshops, and the dissemination of the results of marine scientific research. "This centre will provide a new platform for ISA to promote capacity building and the transfer of marine technology for developing countries, and to advance and share human knowledge of the deep ocean and its environment."

ISA Secretary-General

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The Secretary-General signed a Memorandum of Understanding on 18 October 2019 with Mr. Wang Hong, Administrator of State Oceanic Administration of China to establish the JTRC.

Members of the JTRC steering committee:

Ms. Gu Wu, Director of the JTRC, Director of the National Deep Sea Center of China

Mr. Liu Feng, Secretary General of COMRA, Director-General of China Deep Ocean Affairs Administration

Ms. Jihyun Lee, Director, Office of Environmental Management and Mineral Resources, ISA

Dr. Georgy Cherkashov, LTC Member, ISA

Dr. Gordon Paterson, LTC Member, ISA

Mr. Wang Qian, Deputy Director-General, Department of International Cooperation, Ministry of Natural Resources of China

Mr. Xiang Youquan, Deputy Director-General of China Oceanic Development Foundation

The Enterprise

The Enterprise is the organ of ISA conceived by UNCLOS to carry out activities in the Area, as well as the transporting, processing and marketing of minerals recovered from it.

The Enterprise is not yet operational and its functions are being carried by the Secretariat. Its operationalization will follow an "evolutionary approach", with initial operations to be conducted through joint ventures following sound commercial principles. In preparation for the day when the Enterprise begins to operate independently, the Secretariat, under the 1994 Agreement, is responsible for assessing the potential resources of the reserved areas as well as possible approaches to joint venture operations. Once operational, the Enterprise will also play a crucial role of facilitating the participation of developing States in deepseabed mining in the Area, as it will be able to carry out such activities in the reserved areas in association with them.

In 2018, taking into account the discussions relating to the Enterprise in the Council, the Secretary-General appointed Mr. Eden Charles (Trinidad and Tobago) as Special Representative of the Secretary-General for the Enterprise. A voluntary trust fund has been established to support his work.

In 2019, the Secretariat commissioned an external study on the legal, technical and financial implications of the Enterprise for ISA and for States parties.⁴⁷ The resulting report, which is available on the ISA website, was considered "by the LTC in February 2020 and a number of recommendations were made for consideration by the Council.



⁴⁷ The Council had originally requested a study on the operationalization of the Enterprise in 2013 (ISBA/19/C/18). Draft terms of reference for the study were developed by the LTC in 2014 and finally approved in 2018 (ISBA/24/C/9)

Reserved areas and the Enterprise: How does it work?

The mechanism of so-called "reserved areas" is one of the ways UNCLOS ensures that developing countries can access deep-sea mineral resources. Reserved areas are contributed when States apply to ISA for exploration rights. They are then held in a "site bank" which is reserved for access by developing countries or for the future Enterprise.

In total, 1,318,633 km² have been contributed to the reserved area site bank for polymetallic nodules. As of June 2020, 891,138 km² remain available, in addition to a reserved area of 3,000 km² of cobalt-rich crust. Since 2011, a total of 427,495 km² of reserved areas containing polymetallic nodules have been allocated to qualifying entities from developing States.

In 2010, the Secretariat produced a peer reviewed geological model of polymetallic nodule deposits in the CCZ.* In 2019, the Secretariat used the data and information available in DeepData to update that assessment. It is now estimated that 5,400 million tons of metal lies on the seafloor in the reserved areas.

^{*} ISA Technical Study No. 6. https://isa.org.jm/files/files/documents/tstudy6.pdf

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Ensure equitable sharing of financial and other economic benefits

ISA must adopt rules, regulations and procedures for the equitable sharing of financial and other economic benefits derived from activities in the Area. Similar rules, regulations and procedures must also be adopted for the distribution of payments to be made through ISA⁴⁸ in relation to the exploitation of non-living resources on the continental shelf beyond 200 nautical miles.⁴⁹ Decisions on these matters by the Assembly and Council must consider the recommendations produced by the FC.

In 2018 the Secretary-General issued a report on the development of rules, regulations and procedures on the equitable sharing of financial and other economic benefits from activities in the Area.⁵⁰ The report reviewed the applicable legal provisions contained in UNCLOS as well as previous work of ISA and available literature related to the development of equitable sharing criteria. The FC later requested the Secretariat to prepare a study of the conceptual basis for equitable sharing that would set out alternative approaches to benefit-sharing formulae based on principles of equity and economic theory. The study was provided to the FC in 2019 and a supplementary report was produced in 2020 based on feedback from the FC.



Photo: DeenGreen

- ISBA/24/FC/4

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Beyond financial benefits

Although the work of the FC has focused primarily on the distribution of future financial benefits from activities in the Area, UNCLOS gives equal weight to non-monetary benefit sharing as a means of giving effect to the overall objective of benefitting to humankind. There is no limit to the category of non-monetary benefits, and it is not possible to quantify all these benefits as they may change over time. The mere fact that UNCLOS establishes a legal regime for the Area that limits access to resources and prevents unrestrained exploitation is itself a benefit to humankind since the purpose of the regime is to create and enforce a set of rules and standards governing deep-sea mining and related activities that balances the need for resource extraction with the preservation of the marine environment. Among the non-monetary benefits that may be identified are:

- The development of the resources of the Area.
- The orderly, safe and rational management of the resources of the Area.
- The expansion of opportunities for participation in such activities consistent in particular with articles 144 and 148 of UNCLOS.
- · Increased availability of the minerals derived from the Area as needed in conjunction with minerals derived from other sources, to ensure supplies to consumers of such minerals.
- The enhancement of opportunities for all States parties, irrespective of their social and economic systems or geographical location, to participate in the development of the resources of the Area and the prevention of monopolization of activities in the Area.
- Protection of the marine environment through the rules, regulations and procedures of ISA.
- · Capacity-building, mandatory in the case of the training programmes required of contractors, and developed through international cooperation in the case of programmes developed through ISA.
- · Increased knowledge of the marine environment and deep seabed.
- · Increased availability of marine technology.

Improve the organizational performance of ISA

In accordance with the 1994 Agreement, the setting up and the functioning of the organs and subsidiary bodies of ISA shall be based on an evolutionary approach. Such organs and subsidiary bodies may therefore discharge effectively their respective responsibilities at various stages of the development of activities in the Area. It is also emphasized in the 1994 Agreement that in order to minimize costs to States parties, all organs and subsidiary bodies to be established under UNCLOS shall be cost-effective.51

Strategic planning

The adoption by the Assembly in July 2019 of the High-Level Action Plan for ISA for 2019-2023⁵² was a significant step to enable ISA to achieve the objectives and priorities identified in the Strategic Plan for the period 2019-2023. The Assembly also adopted a set of indicators to assess the performance of ISA towards implementing the strategic directions set out in the Strategic Plan.

Improved resources management

Since 2017, ISA has been using International Public Sector Accounting Standards (IPSAS), which has permitted the timely and accurate recognition of employee benefits, assets (both tangible and intangible), liabilities and financial disclosures.

The review of the methodology, as requested by the FC in 2018, to report the exact costs for the supervision and administration of exploration contracts⁵³ has permitted to adjust the overhead charge for services provided to contractors by ISA and meet cost recovery requirements.

- ISBA/24/A/6-ISBA/24/C/19
- 54 http://careers.un.org/
- ISBA/ST/SGB/2020/1
- 56 A/RES/70/244
- ISBA/23/A/11
- ISBA/25/A/13
- 59 https://www.un.org/en/pdfs/un_system_chart.pdf

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In 2020, the secretariat introduced an enterprise resource planning (ERP) system. The ERP is a moderate version of SAP[®], intended for organizations with a similar profile as ISA, and covers the main areas in budget, finance, procurement and a number of processes in human resources.

Inspira

ISA started using the United Nations talent management system "Inspira" in April 2019 in order to reach a greater pool of candidates, expand the online learning resources for staff and non-staff and support the performance management and appraisal system. Twenty-nine other UN entities use the Inspira portal, which has 3 million registered users.54

Staff regulations and rules

ISA conducted an in-depth and comprehensive review of its HR policies and most recently, in January 2020, promulgated a fourth edition of the Staff Rules of ISA.55 The promulgation of staff rules follows the amendments to the staff regulations which were made necessary to implement the revisions to the compensation package for internationally recruited staff as recommended by the International Civil Service Commission and adopted by the United Nations General Assembly.⁵⁶ The Assembly approved these revisions in its 23rd⁵⁷ and 25th⁵⁸ sessions.

Participation in United Nations system of organizations

ISA has steadily increased its presence within the United Nations common system of organizations.⁵⁹ This is evidenced notably by its ongoing participation in the work of the International Civil Service Commission, the signing of service level agreements with the United Nations Secretariat, United Nations Volunteers and OneHR, and the increase from 2 per cent in 2017 to 18 per cent today of ISA staff resulting from inter-agency movements (transfer, secondment, re-employment).

⁴⁸ UNCLOS, art.140(2). UNCLOS, art.82(1).

⁵¹ 1994 Agreement, Annex, section.1(2).

ISBA/25/A/15/Corr.1.

Commit to transparency

Transparency is an essential element of good governance and is therefore a guiding principle for ISA in the conduct of its business as a publicly accountable international organization. This includes transparency in the internal administration of ISA as well as its internal procedures, the procedures of its various organs and subsidiary bodies and its procedures towards States. Transparency plays a fundamental role in building trust in ISA and enhancing ISA accountability, credibility and support across its stakeholder base. During the reporting period, efforts have been made to increase the visibility of ISA mandate and programmes, while improving clarity and strengthening credibility around its work.

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Informational workshop for ASEAN and BIMSTEC countries

In September 2019, ISA held its 20th informational workshop in partnership with the Government of Myanmar and the Korea Maritime Institute (KMI), in Nya Pyi Taw for the benefit of ASEAN and BIMSTEC member States.

The event sought to increase knowledge amongst ASEAN and BIMSTEC members of the mandate and responsibilities of ISA and their understanding of the potential opportunities arising from participating in activities in the Area.



Public information and online presence

Since July 2019, 16 new publications (4 technical studies, 4 workshop reports and 8 other general publications) have been made available on ISA website.

A new, upgraded version of the website was launched in June 2020. Input received from members, observers, LTC members, development partners, former trainees, researchers and students helped develop a website that is more dynamic, more user-friendly and easier to navigate. The website provides a portal to access up-to-date information on ISA programmes and activities, including the ongoing work on the development of the deep-sea Mining Code, as well as access to the DeepData database, the Satya N. Nandan Library catalog and multi-media resources. ISA has also increased its presence on social media, with Soundcloud and Flickr accounts set up in 2020.

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5 700 Views	2 115 Followers	2 204 Likes
+70% in the last year	+40% in the last year	+20% in the last year

Stakeholder engagement

ISA pays particular attention to ensuring the active participation of all stakeholders in its work. This is reflected in the ongoing consultations organized for the development of the draft exploitation regulations and other key strategic documents and initiatives.

Significant progress has also been made by the Secretariat on the development of a communications and stakeholder engagement strategy, for which a draft is expected to be available for public consultation in September 2020 with a view to finalizing it by the end of the year.

