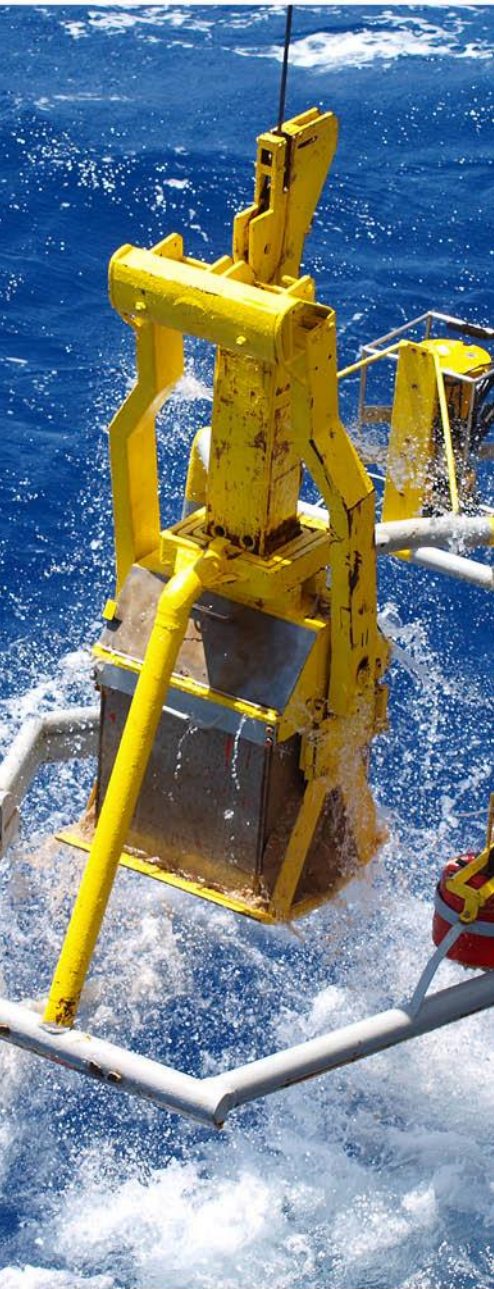


Deep sea mining – the international legal framework

- Patrik Schotte
FPS Economy



Legislations governing deep sea mining in the Area

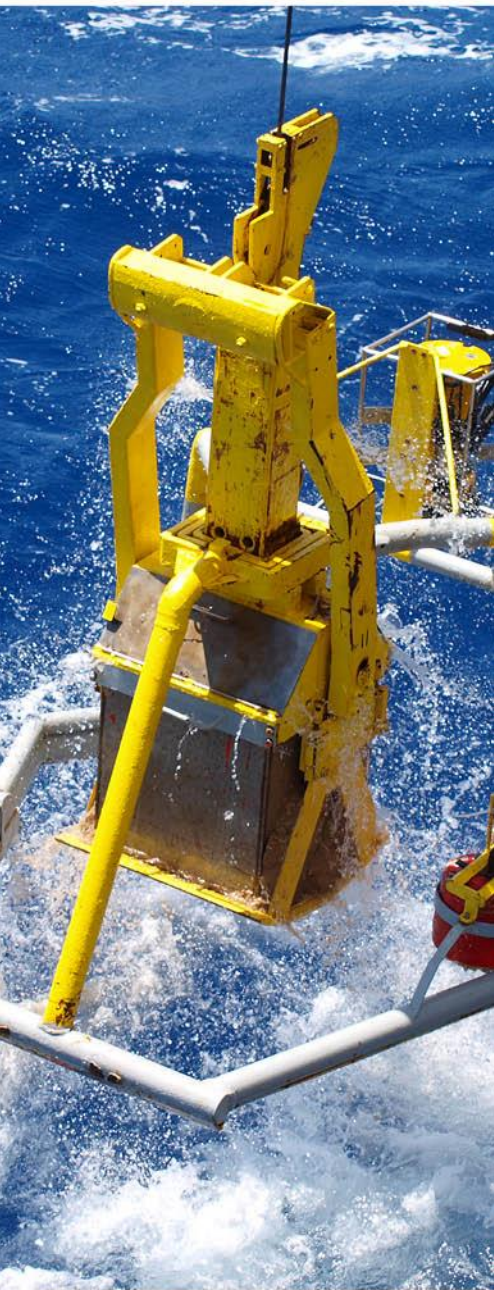
- United Nations Convention on the Law of the Sea (UNCLOS), Part XI – The Area & Annex III
- Agreement Relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea (the Agreement).



Legal status of the Area and its resources

All rights in the mineral resources of the Area are vested in humankind as a whole, on whose behalf the International Seabed Authority (the Authority) acts.





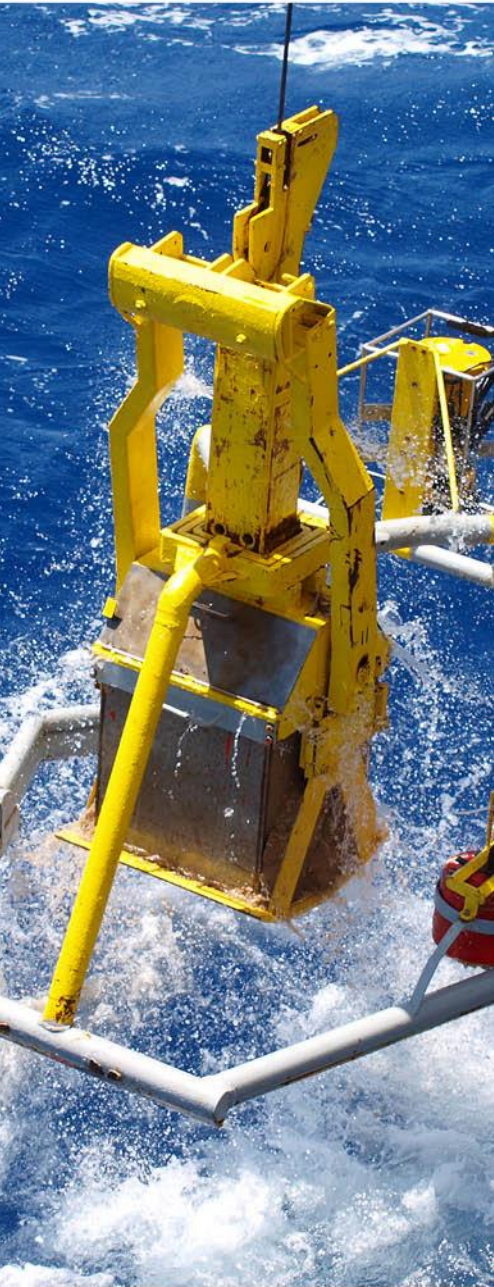
Rules, regulations and procedures of the Authority

Current:

- 3 regulations for prospecting and exploration
- REMP for the Clarion-Clipperton Fracture Zone

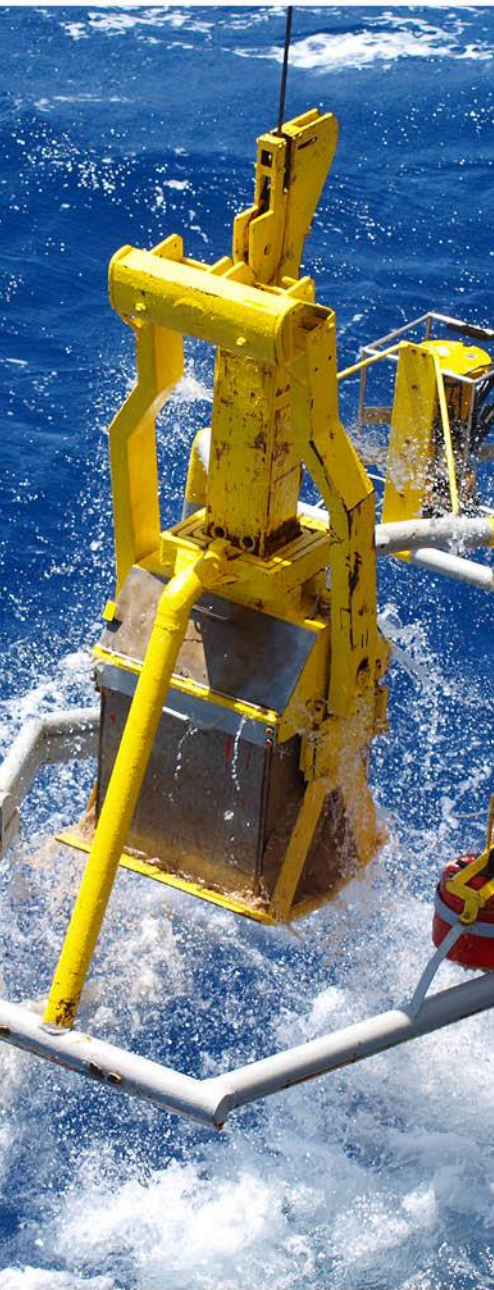
In preparation:

- regulation for exploitation
- 2 REMPs



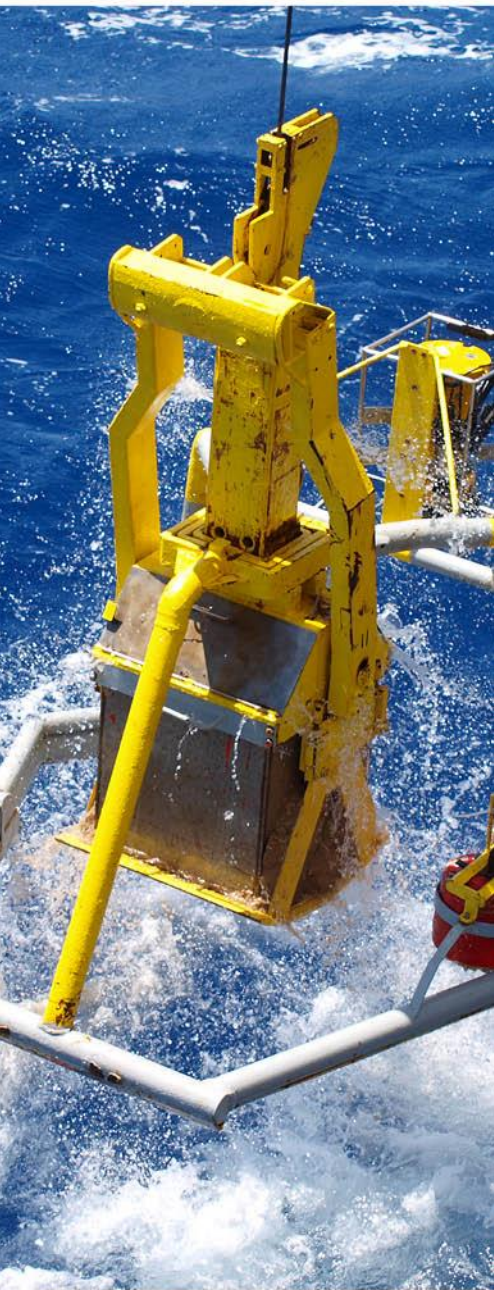
Policies relating to the Area

- orderly, safe and rational management of resources
- participation in revenues by the Authority
- long-term equilibrium between supply and demand
- protection of developing countries from adverse effects on their economies
- no discrimination between minerals derived from the Area and from other sources



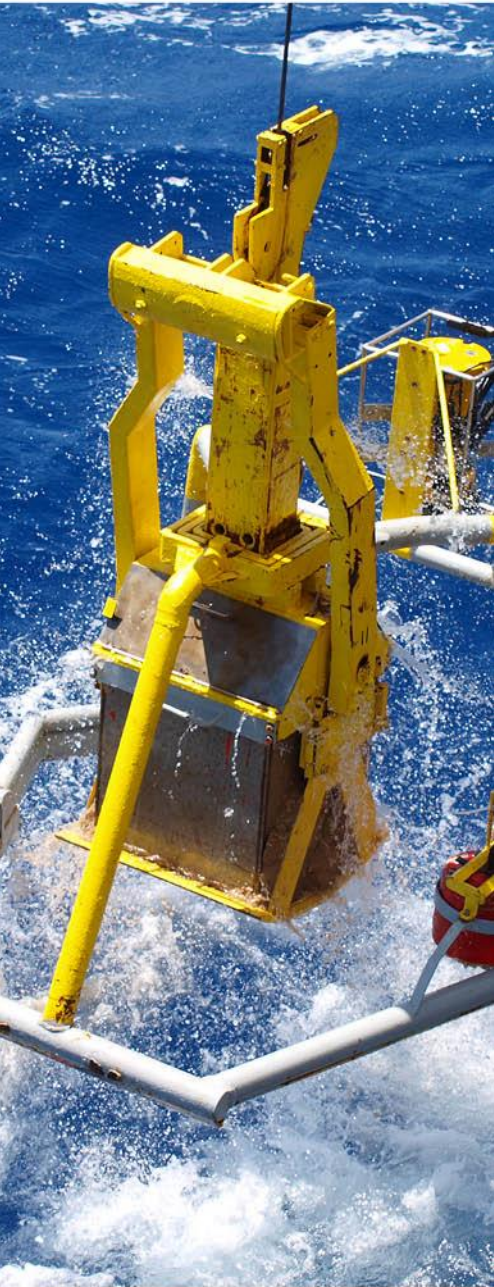
Policies of the Sponsoring State

- no conditions that are inconsistent with Part XI
- laws and regulations for marine protection more stringent than those in rules, regulations and procedures of the Authority shall not be deemed inconsistent with Part XI



Proprietary data and confidentiality

- all data transferred to the authority
- exception: environmental baseline data, other than equipment design data
- contractor may waive confidentiality



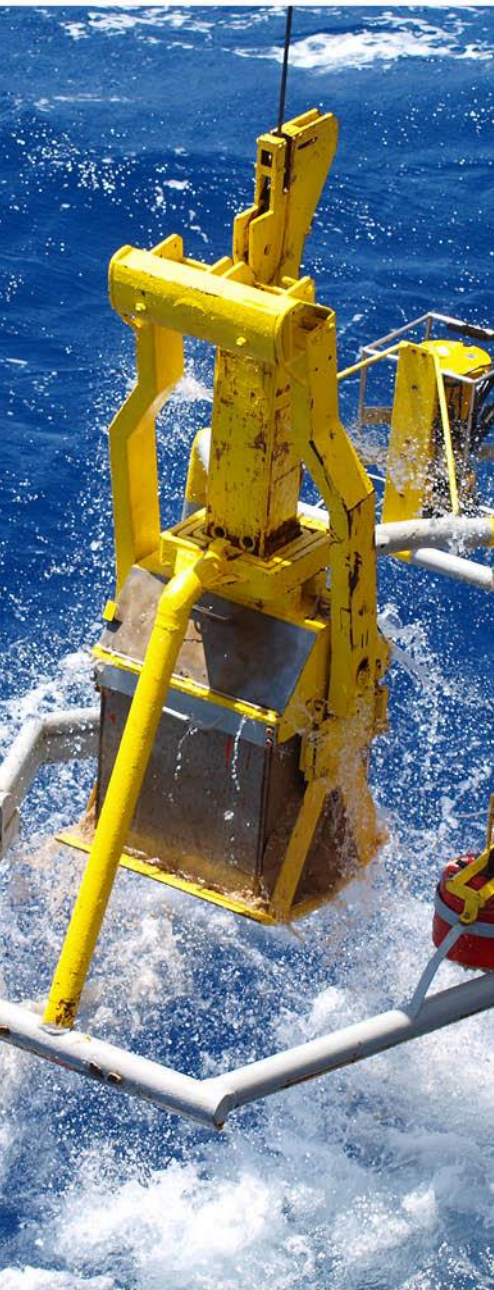
Supervision & sanctions

Supervision:

- the Authority, where appropriate, in consultation and collaboration of sponsoring States

Sanctions:

- monetary penalties, suspension or termination of the rights under the contract by the Council
- judicial remedies before International Tribunal of the Law of the Sea

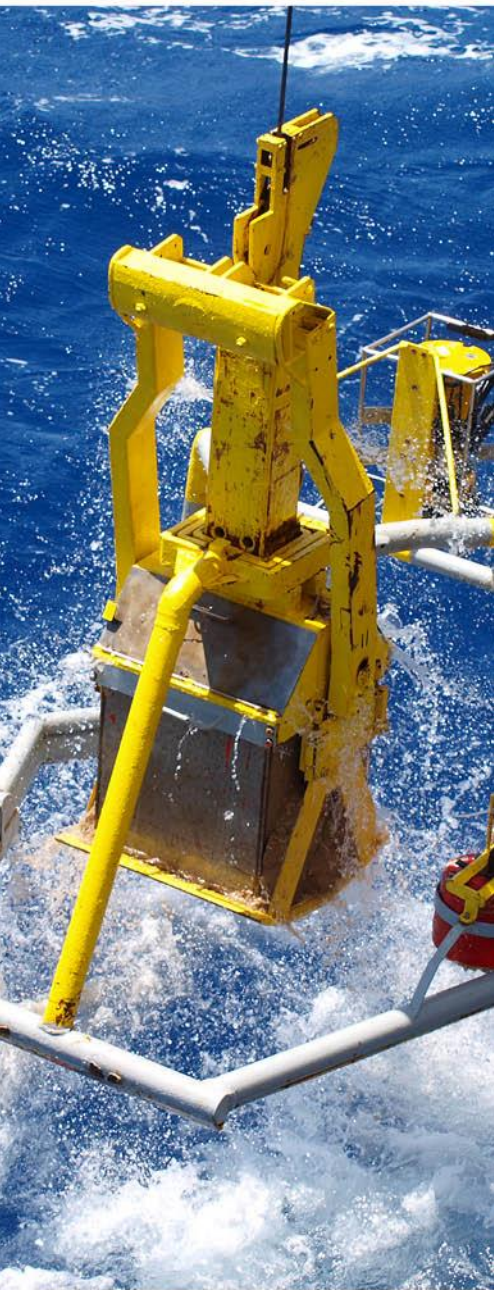


Other international instruments

- Rio Declaration on environment and development
- 2030 Agenda for Sustainable Development
- UNECE Aarhus Convention (Almaty Guidelines)

Not applicable:

- UNECE Espoo Convention



Thank you