



**INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA
TRIBUNAL INTERNATIONAL DU DROIT DE LA MER**

Press Release

**RESPONSIBILITIES AND OBLIGATIONS OF STATES SPONSORING PERSONS
AND ENTITIES WITH RESPECT TO ACTIVITIES IN THE
INTERNATIONAL SEABED AREA**

**(REQUEST FOR ADVISORY OPINION
SUBMITTED TO THE SEABED DISPUTES CHAMBER)**

FILING OF WRITTEN STATEMENTS

Hamburg, 20 August 2010. Twelve States Parties to the United Nations Convention on the Law of the Sea and three intergovernmental organizations have filed written statements within the time-limit fixed by the President of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea, Judge Tullio Treves, regarding the Request for an Advisory Opinion on the responsibilities and obligations of States sponsoring persons and entities with respect to activities in the International Seabed Area.

By Order of 18 May 2010, the President of the Seabed Disputes Chamber decided that the International Seabed Authority and those organizations invited as intergovernmental organizations to participate as observers in the Assembly of the Authority are considered likely to be able to furnish information on the questions submitted to the Seabed Disputes Chamber and invited them and the States Parties to the United Nations Convention on the Law of the Sea to present written statements on the questions contained in the Request. The Order of 28 July 2010 fixed 19 August 2010 as the time-limit for the presentation of written statements.

Written statements have been submitted by the following (in order of receipt):

Interoceanmetal Joint Organization; United Kingdom of Great Britain and Northern Ireland; Republic of Nauru; Republic of Korea; Romania; Kingdom of the Netherlands; Russian Federation; United Mexican States; International Union for Conservation of Nature; Federal Republic of Germany; People's Republic of China; Australia; Republic of Chile; Republic of the Philippines; International Seabed Authority.

The texts of the written statements are available on the website of the Tribunal.

History of the proceedings

On 6 May 2010, the Council of the International Seabed Authority adopted Decision ISBA/16/C/13 during the Authority's Sixteenth Session, in which, in accordance with article 191 of the United Nations Convention on the Law of the Sea, it decided to request the Seabed Disputes Chamber to render an advisory opinion on the following questions:

1. What are the legal responsibilities and obligations of States Parties to the Convention with respect to the sponsorship of activities in the Area in accordance with the Convention, in particular Part XI, and the 1994 Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982?
2. What is the extent of liability of a State Party for any failure to comply with the provisions of the Convention, in particular Part XI, and the 1994 Agreement, by an entity whom it has sponsored under Article 153, paragraph 2 (b), of the Convention?
3. What are the necessary and appropriate measures that a sponsoring State must take in order to fulfil its responsibility under the Convention, in particular Article 139 and Annex III, and the 1994 Agreement?

The Request for an Advisory Opinion was transmitted by letter dated 11 May 2010, from the Secretary-General of the International Seabed Authority, Mr Nii Odunton, addressed to the President of the Seabed Disputes Chamber, Judge Tullio Treves. The Request was filed with the Registry on 14 May 2010. Subsequently, the Authority submitted a dossier to the Chamber containing documents, decisions and other material of the Authority as well as international instruments and other material likely to throw light upon the three legal questions on which the advisory opinion of the Seabed Disputes Chamber is requested. The dossier is available on the Tribunal's website.

In accordance with article 133 of the Rules of the Tribunal, the Registrar gave notice of the Request for an advisory opinion to all States Parties to the Convention and to those organizations invited as intergovernmental organizations to participate as observers in the Assembly of the International Seabed Authority.

By Order of 18 May 2010, the President of the Seabed Disputes Chamber fixed 14 September 2010 as the date for the opening of the hearing at which oral statements may be submitted to the Seabed Disputes Chamber by the States Parties to the Convention, the International Seabed Authority and the intergovernmental organizations referred to above, and invited them to indicate their intention to make oral statements at the hearing to the Registrar no later than 3 September 2010.

The subsequent procedure has been reserved for further decision.

The press releases of the Tribunal, documents and other information are available on the Tribunal's websites: <http://www.itlos.org> and <http://www.tidm.org> and from the Registry of the Tribunal. Please contact Ms Julia Ritter at: Am Internationalen Seegerichtshof 1, 22609 Hamburg, Germany, Tel.: +49 (40) 35607-227; Fax: +49 (40) 35607-245; E-mail: press@itlos.org

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