



**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)**

**PUBLIC HEARING TO BE HELD FROM 14 SEPTEMBER 2010  
LIVE WEBCAST OF THE HEARINGS ON THE TRIBUNAL'S WEBSITE**

Hamburg, 6 September 2010. The public hearings of the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea 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 will open on 14 September 2010 at 3 p.m. Judge Tullio Treves, President of the Chamber, will preside. The public hearings will be transmitted live on the Tribunal's website.

By Order of 18 May 2010, the President of the Seabed Disputes Chamber invited States Parties to the Convention, the International Seabed Authority and those organizations invited as intergovernmental organizations to participate as observers in the Assembly of the International Seabed Authority to indicate their intention to make oral statements at the hearing no later than 3 September 2010.

Nine States and three intergovernmental organizations have expressed their intention to participate in the hearings. These are: Federal Republic of Germany, Kingdom of the Netherlands, the Argentine Republic, Republic of Chile, Republic of Fiji Islands, United Mexican States, Republic of Nauru, United Kingdom of Great Britain and Northern Ireland, Russian Federation, International Seabed Authority, Intergovernmental Oceanographic Commission, International Union for Conservation of Nature.

The schedule for the hearings adopted by the President of the Chamber is as follows:

*Tuesday, 14 September 2010*

3 p.m.: International Seabed Authority

*Wednesday, 15 September 2010*

10 a.m. – 1 p.m.: Germany  
Netherlands  
Argentina  
Chile  
Fiji  
Mexico

(to be continued from 3 p.m. if necessary)

*Thursday, 16 September 2010*

10 a.m. – 1p.m.: Nauru  
United Kingdom  
Russian Federation  
Intergovernmental Oceanographic Commission  
International Union for Conservation of Nature

(to be continued from 3 p.m. if necessary)

The verbatim records of the hearings will be published daily on the website of the Tribunal at [http://www.itlos.org/cgi-bin/cases/case\\_detail.pl?id=17&lang=en](http://www.itlos.org/cgi-bin/cases/case_detail.pl?id=17&lang=en). The hearings can be viewed live at: [http://www.itlos.org/proceedings/video/live\\_en.shtml](http://www.itlos.org/proceedings/video/live_en.shtml).

### **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 decided that the International Seabed Authority and those organizations referred to above 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.

Twelve States Parties to the United Nations Convention on the Law of the Sea and three intergovernmental organizations filed written statements within the time-limit as follows (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.

An additional statement was received from the United Nations Environmental Programme after the expiry of the time-limit.

A written statement was also submitted to the Chamber by Stichting Greenpeace Council (Greenpeace International) and the World Wide Fund for Nature.

The written statements are available on the Tribunal's website.

### **Attending the hearings**

The hearings will be held in the main courtroom of the Tribunal and are open to the public. Members of the diplomatic and consular corps, press and general public are welcome to attend but are requested to register in advance with the Press Office at [press@itlos.org](mailto:press@itlos.org).

### **Accreditation for media representatives**

Members of the press are welcome to attend the hearings but are requested to register in advance with the Press Office using the accreditation form that is available on the website of the Tribunal.

Unobtrusive audio and video recording of the hearings is possible. Filming is subject to special authorization from the Press Office. Facilities are available for radio crews to connect recording equipment directly to the Tribunal's audio system.

Press information will be available at the sitting itself, or from the Press Office.

### **Webcast**

The hearings will be transmitted live on the website of the Tribunal at [http://www.itlos.org/proceedings/video/live\\_en.shtml](http://www.itlos.org/proceedings/video/live_en.shtml). Short interludes in transmission may occur due to congestion on the Tribunal's site. A recorded webcast of the hearings will be available after each sitting under Webcast Archives at: [http://www.itlos.org/proceedings/video/start\\_en.shtml](http://www.itlos.org/proceedings/video/start_en.shtml).

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](mailto:press@itlos.org)