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

2011

Public sitting
held on Tuesday, 1 February 2011, at 10.45 a.m.
at the International Tribunal for the Law of the Sea, Hamburg,
President of the Seabed Disputes Chamber, Judge Tullio Treves, presiding

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)

Verbatim Record
Seabed Disputes Chamber
of the International Tribunal for the Law of the Sea

Present: President Tullio Treves
          Judges Vicente Marotta Rangel
                L. Dolliver M. Nelson
                Rüdiger Wolfrum
                Shunji Yanai
                James L. Kateka
                Albert J. Hoffmann
                Zhiguo Gao
                Vladimir Golitsyn
          Registrar Philippe Gautier
REGISTRAR (Interpretation from French): The Seabed Disputes Chamber will today render its Advisory Opinion on the Responsibilities and obligations of States sponsoring persons and entities with respect to activities in the Area. The request for an advisory opinion was entered in the list of cases as Case No. 17.

PRESIDENT: This is the first time in the history of the International Tribunal for the Law of the Sea and the Seabed Disputes Chamber that an advisory opinion is being rendered. I will ask the Registrar to read out the questions on which the Chamber was requested to give its advisory opinion.

REGISTRAR: The questions submitted to the Chamber for an advisory opinion are set forth in decision ISBA/16/C/13 adopted by the Council of the International Seabed Authority on 6 May 2010. The questions read as follows:


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?

Mr President.

PRESIDENT: I will now read the Advisory Opinion of the Seabed Disputes Chamber on Responsibilities and Obligations of States Sponsoring Persons and Entities with respect to Activities in the International Seabed Area of 1 February 2011, in which the Chamber replies to these questions.

Before doing so, I have the pleasure to note the presence, at this public sitting, of the Secretary-General of the International Seabed Authority, Mr Nii Odunton, and his Legal Counsel. I also note the presence of the representatives of the following States.
and organizations: Argentina, Chile, China, France, Germany, India, Indonesia, Japan, The Netherlands, Republic of Korea, the Russian Federation, the United Kingdom, Venezuela and the International Union for Conservation of Nature.

[The President reads the extracts.]

The sitting is now closed.

(The sitting closed at 12.40)