



INTERNATIONAL SEABED AUTHORITY
CAPACITY DEVELOPMENT STRATEGY
2022-2030

I. INTRODUCTION

1. Pursuant to the 1982 United Nations Convention on the Law of the Sea (the Convention) and the 1994 Agreement relating to the Implementation of Part XI of the Convention (1994 Agreement) the International Seabed Authority (the Authority) is mandated to organize and control activities in the Area on behalf of mankind as a whole, whilst taking necessary measures to ensure effective protection for the marine environment from harmful effects which may arise from such activities. All activities in the Area must be carried out for the benefit of mankind as a whole, taking into particular consideration the interests and needs of developing States. The Authority must provide for the equitable sharing of financial and other economic benefits derived from activities in the Area. Such benefits include specific programmes aimed at strengthening the capacities of developing States and technologically less developed States as well as programmes designed to promote the effective participation of developing States in activities in the Area.

2. The duty of the Authority to develop and implement mechanisms to build capacity for developing States, in accordance with its mandate under the Convention and the 1994 Agreement, is recognized in the strategic plan of the Authority for the period 2019–2023.¹ Such mechanisms should aim not only at promoting and encouraging the transfer of technology to developing States² but also at ensuring the expansion of opportunities for participation in activities in the Area.³ Members of the Authority have identified that one of the key challenges for the Authority lies in the development of mechanisms, including capacity-building programmes, that ensure the fully integrated participation of developing States in activities in the Area at all levels. Strategic

¹ See ISBA/24/A/10, annex.

² See the Convention, arts.144, 273, and 274.

³ Ibid, art.148.

direction 5 (Build capacity for developing States) and strategic direction 6 (Ensure fully integrated participation by developing States) are aimed at accomplishing this objective.

Capacity-building and training have been an integral feature of the Authority's activities since its establishment. Since 2000, various programmes and initiatives have been developed and implemented by the Authority to strengthen the capacities of developing States and technologically less developed States. In general, most of them have been successful as they created the enabling conditions to build the capacities of many individuals whilst strengthening institutional capacities⁴ A recent review of the contribution of the Authority to the achievement of the 2030 Agenda for sustainable development found that the work of the Organization on capacity development and institutional strengthening contributes to the Sustainable Development Goals (SDGs) 4 (Quality education), 5 (Gender equality), 8 (Decent work and economic growth), 9 (Industry, innovation and infrastructure), 14 (Life below water), 16 (Peace, justice and strong institutions) and 17 (Partnerships for the goals).⁵ Interviews with former trainees of the Authority highlighted the direct and impactful contribution of the Authority's capacity building and development programmes in their professional and personal development as well as in relation to the transfer of knowledge to their institutions.

3. However, the context within which the Authority is operating is changing rapidly as the role of the Authority evolves towards regulation and control of exploitation activities and as an increasing number of members of the Authority contemplate engaging more actively in its work and in the activities carried out in the Area.⁶

4. This led the Assembly of the Authority, in December 2020, to adopt an important decision on a programmatic approach to capacity development in which it requested the Secretary-General to develop and implement a dedicated strategy for capacity development taking into account the core elements identified in the report presented to it in August 2020.⁷ The present document responds to that request and sets out the core elements of a capacity development strategy.

II. CAPACITY DEVELOPMENT IN THE CONTEXT OF THE MANDATE OF ISA

5. Capacity development is fundamental to ensure the effective participation of developing States in activities carried out in the Area and in the work of the Authority. The Authority recognizes that capacity development can be grouped into three mutually reinforcing and interdependent levels: individual, institutional and resulting from the enabling environment at

⁴ See ISBA/26/A/7, ISBA/26/A/2, ISBA/26/A/2/Add.1.

⁵ See ISA, *The contribution of the International Seabed Authority to the achievement of the 2030 Agenda for Sustainable Development*, 2021. Accessible here:

https://isa.org.jm/files/files/documents/ISA_Contribution_to_the_SDGs_2021.pdf

⁶ See ISBA/26/A/7, para.24.

⁷ See ISBA/26/A/18, para.2.

national level. The first is about increasing the skills and abilities of individuals whilst the second focuses on increasing the capability of institutions to fulfil their mandates and responsibilities; and the third involves improvements in policy and regulatory frameworks in support of effective implementation of the legal regime of the Area as well as in relation to inter-institutional coordination.

6. The Authority defines capacity development as “*the process through which individual, organization and societies obtain, strengthen and maintain the capabilities to set and achieve their own development objectives over time*”.⁸ It is about creating and building capacities and their use, management and retention. This approach is based on the fact that there are some capacities that already exist. In other words, the concept of “capacity development” uses the existing base of capacities as its starting point and then supports efforts to enhance and retain them. Because building of individual skills and institutional strengthening may take time, capacity development needs to be seen as a long-term process.⁹

7. In order to respond to the specific actions identified in the high-level action plan of the Authority for the period 2019– 2023 to operationalize these strategic objectives,¹⁰ the Secretariat of the Authority with the assistance of consultants,¹¹ commissioned a comprehensive review of all capacity-building programmes and initiatives implemented by the Authority between 1994 and 2019.¹² The key findings of the review were discussed during a workshop on capacity development, resources and needs assessment held in Kingston, in February 2020. The workshop was facilitated by the Deputy Director General for Training, Research and Development of the Department of International Relations and Cooperation of South Africa, Mathu Joyini. Participants included representatives of members¹³ and observers¹⁴ of the Authority, experts from

⁸ UNDP, *Capacity development – Practice Note*, 2008, 30 p. This definition is largely consistent with the broadly accepted concept defined by the Organization for Economic Cooperation and Development (OECD) (Development Assistance Committee 2006). See also ISA, *Review of capacity-building programmes and initiatives implemented by the International Seabed Authority 1994-2019*, 2020, p.13.

⁹ ISA, 2020, p.13.

¹⁰ See ISBA/25/A/15, annex II, and ISBA/25/A/15/Corr.1.

¹¹ The consultants were Rahul Sharma, former Chief Scientist of the National Institute of Oceanography (India), and Tearinaki Tanielu, Director of the Multilateral Affairs Division of the Ministry of Foreign Affairs and Immigration of Kiribati

¹² Available at https://isa.org.jm/files/files/documents/ISBA_26_A_7-2011093E.pdf.

¹³ Algeria, Argentina, Brazil, Chile, China, Cook Islands, Costa Rica, Ecuador, Egypt, European Union, Ghana, Guatemala, Indonesia, Jamaica, Republic of Korea, Mexico, Myanmar, Nauru, Nigeria, Sierra Leone, South Africa, Tonga, Trinidad and Tobago and Uganda

¹⁴ Ethiopia, Centre for Borders Research of Durham University, Interridge and Pew Charitable Trusts.

international, regional and national organizations,¹⁵ as well as contractors¹⁶ and national experts.¹⁷ The report of the workshop is available on the Authority's website,¹⁸ as well as a summary of the outcomes.¹⁹

8. Both the review and the workshop were informed by an advisory committee established by the Secretary-General to provide expert input and strategic advice to the secretariat.²⁰ The draft of the review was further revised in the light of comments from the advisory committee, the training subgroup of the Legal and Technical Commission, participants in the workshop and input received from Colombia, Cuba, Norway, Peru and the Philippines during a public consultation held between April and June 2020.²¹ All these elements were presented to the Assembly in a comprehensive report (ISBA/26/A/7) which led to the adoption of the decision referred to in paragraph 5 above. An important element of that decision was the development of strategic partnerships with existing national and regional institutions to strengthen international cooperation for capacity development and the establishment of a network of National Focal Points for Capacity Development (NAFOP-CD) to better facilitate interactions between member States and the Secretariat.²²

III. OBJECTIVES OF THE STRATEGY

9. The objective of this strategy is to enhance the ability of the Authority to build and develop the capacity of developing States, members of the Authority (Strategic Plan, Strategic Direction 5) with a view to ensure the full integrated participation of these States in the work of the Authority and the activities carried out in the Area (Strategic Plan, Strategic Direction 6).

IV. KEY RESULT AREAS

10. The key elements of the strategy cover five interrelated results areas:

¹⁵ African Union; Commonwealth; Department of Economic and Social Affairs; Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (UNESCO); National Deep Sea Centre (Joint Training and Research Centre); National Oceanography Centre; Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States; Technology Bank for the Least Developed Countries; United Nations Environment Programme; UNESCO; United Nations Children's Fund; and World Maritime University.

¹⁶ China Ocean Mineral Resources Research and Development Association; Deep Ocean Resources Development Company Limited; Federal Institute for Geosciences and Natural Resources; Global Sea Mineral Resources NV; Japan Oil, Gas and Metals National Corporation; Nauru Ocean Resources Incorporated; Tonga Offshore Mining Limited; and UK Seabed Resources Limited.

¹⁷ From Ghana, India, Kiribati and Togo.

¹⁸ See https://isa.org.jm/files/files/documents/ISBA_26_A_7-2011093E.pdf.

¹⁹ See ISBA/26/A/12.

²⁰ The list of members of the advisory committee is provided in annex 1 to the review

²¹ Colombia and Peru are observers to the Authority

²² As of April 2022, 50 member States have nominated a NAFOP-CD.

Key result area 1: Ensuring that capacity development programmes and activities are meaningful, tangible, efficient, effective and targeted at the needs of developing States as identified by them

1.1 Facilitating the identification and regular review of needs and priorities of developing States, members of the Authority

11. Effective capacity development programmes and activities must reflect understanding of the recipients' needs and priorities, as identified by them. The process of review and consultation carried out in 2019 and 2020 referred to in paragraphs 8 and 9 above has enabled the Authority to align its current programmes, activities and available resources towards the needs identified such as those related to policy and legal frameworks, and to science and technology capacities for resources assessment and environmental management.²³ A review of the actual needs of developing States, members of the Authority shall be undertaken at least every five years to ensure accuracy and relevance of the work undertaken.

12. Attention will also be given to develop projects and activities that recognize the different levels of intervention (individual, institutional, national) required and the difference in priority needs identified. For instance, specific consideration will be given to the needs identified by developing States sponsoring activities in the Area or to those which intend to sponsor future activities in the Area. Due consideration will also be given to the specific needs identified by countries through the 2020 survey and to address the unique challenges faced by Least developing countries (LDCs), Landlocked developing countries (LLDCs) and Small island developing States (SIDS). This differentiated capacity development strategy will result in activities that are more meaningful for and better targeted at individual member States.

13. Ensuring ongoing adjustment in the needs identified by developing States with the activities implemented by the Authority will also build on feedback received from the NAFOP-CD network.

Output 1.a: All capacity development programmes and initiatives are aligned with and address the needs of developing States as identified by them.

Output 1.b: Specific needs of LDCs, LLDCs and SIDS are taken into account by the Authority when conceptualizing, developing and implementing relevant capacity development programmes and initiatives.

²³ See Policy Brief 01/2021, *National capacity development priorities identified by Members of the International Seabed Authority in 2021*. Accessible at: https://isa.org.jm/files/files/documents/Capacity_Development_Policy_Brief_01-2021_rev2.pdf

Output 1.c: Priority needs assessment of members of the Authority kept under ongoing review including through updates and feedback received from NAFOP-CD with an overall review undertaken at least every five years.

1.2 Improving inclusion of capacity development components in all programmatic activities of the Authority, where appropriate and feasible.

14. Capacity development is a core component of the strategic framework of the Authority, which is made up of the Strategic Plan, High-Level Action Plan, and Action Plan in support of the UN Decade of Ocean Science for Sustainable Development. This is intended to facilitate the design, conceptualization, implementation and reporting of dedicated capacity development activities across the wide range of work undertaken by the Authority to fulfil its responsibilities in the four main categories of its mandate, namely: (i) managing exploration and exploitation activities in the Area, (ii) ensuring the protection of the marine environment and biodiversity, (iii) promoting and encouraging marine scientific research in the Area and, (iv) ensuring the equitable sharing of financial and other economic benefits from activities in the Area.

15. Accordingly, where appropriate and feasible, the Secretariat will endeavour to design and implement capacity development activities that address the needs identified by developing States, members of the Authority, in one or more of the main categories of the Authority's mandate within the four main mandate categories of the Authority (see para.14 above).

Output 1.d: Capacity development programmes and activities designed to respond to the needs identified by developing States, members of the Authority, reflect where appropriate and possible, one or more main mandate categories of the Authority under the Convention and the 1994 Agreement.

Key result area 2: Establishing and furthering strategic partnerships in support of capacity development.

2.1 Fostering strategic partnerships to enhance the impact of capacity development programmes and initiatives

16. Success in implementing the programmatic approach for capacity development lies in the ability to foster strategic and transformative partnerships. This will be particularly relevant in relation to articles 143 and 273 of the Convention and the requirements for States Parties to cooperate with competent international organizations and the Authority 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.

17. Three complementary levels of actions will be taken. First, the Secretariat will seek to leverage existing memoranda of understanding and cooperation agreements with other competent intergovernmental and regional organizations to develop joint capacity development projects and activities. Second, the Authority will continue to identify additional organizations with which such cooperation could be established. Third, the Authority is also committed to deepen its partnerships with UN entities, other intergovernmental organizations and relevant sub-regional and regional organizations to jointly implement capacity development activities targeted at their respective members. In any case, the objective of the strategic partnerships is to leverage the respective comparative advantages of the entities involved while creating synergies and avoiding duplication in mandates and programmes. Particular attention will be given to South-South and triangular cooperation (SSTC) in line with the 2030 Agenda.

18. At the subregional and regional level, particular emphasis will be placed on organizations and entities that have prioritized SSTC with a view to supporting exchanges of expertise between countries within and between regions, taking into account the needs identified by developing States members of the Authority. The feedback provided by NAFOP-CD on relevant regional or national institutions will enable actor mapping to identify a list of competent institutions with which the Secretariat will cooperate in the design and implementation of capacity development projects and activities.

Output 2.a: Strategic partnerships with competent international and regional organizations fostered and developed to ensure synergies and avoid duplication in delivery of capacity development programmes and activities.

Output 2.b: Relevant regional/national institutions identified and contacted to support the design and implementation of capacity development projects and activities by the Authority.

2.2 Enhancing regional and national ownership through the establishment of national and regional training and research centres

19. Pursuant to the Convention, States, directly or through competent international organizations and the Authority, have the duty to promote and facilitate the establishment and strengthening of national marine scientific and technological research centres in order to stimulate and advance the conduct of marine scientific research by developing States and to enhance their national capabilities to utilize and preserve their marine resources for their economic benefit.²⁴ Such national centres should provide for advanced training facilities and necessary equipment, skills and know-how as well as technical experts to the States which may need and request such

²⁴ See the Convention, art.275.

assistance.²⁵ The convention also envisages the establishment of regional marine scientific and technological centres, particularly in developing States. This provision is attached to the duty for States, in coordination with the competent international organizations, the Authority and national marine scientific and technological research institutions, to promote such initiatives. The main objective is to “*stimulate and advance the conduct of marine scientific research by developing States and foster the transfer of marine technology*”²⁶. The functions of such regional centres shall include, inter alia: (a) training and educational programmes on various aspects of marine scientific and technological research, particularly marine biology, including conservation and management of living resources, oceanography, hydrography, engineering, geological exploration of the seabed, mining and offshore technologies; (b) study programmes related to the protection and preservation of the marine environment and the prevention, reduction and control of pollution; (c) organization of regional conferences, seminars and symposia; (d) acquisition and processing of marine scientific and technological data and information; (e) prompt dissemination of results of marine scientific and technological research in readily available publications; (f) publicizing national policies with regard to the transfer of marine technology and systematic comparative study of those policies; (g) compilation and systematization of information on the marketing of technology and on contracts and other arrangements concerning patents; and (h) technical cooperation with other States of the region.²⁷

20. The Authority will continue its dialogue with member States and interested organizations to develop a network of regional and national training and research centres which could support the Authority to deliver its capacity development mandate. Attention will be placed on enabling facilitating the sharing of training and research materials and, where possible, the translation into local languages as well as promotion of regional and inter-regional collaboration through the development of scientific communities and communities of practice.

21. Where appropriate, instead of establishing new regional centres in each region, the Authority will consider establishing strategic partnerships with existing national and regional institutions with a view to creating a platform to strengthen international cooperation for capacity development and transfer of marine science technology. This is expected to ensure ownership and to contribute to improving regional and national capacity and capability in a sustainable manner that reflects the needs assessment of the developing States, especially LDCs, LLDCs and SIDS. The design and structure of the arrangements between the Authority and national or regional institutions will identify opportunities to ensure long-term training mechanisms and sustainable funding, including by exploring necessary arrangements for co-funding and resource mobilization.

²⁵ See the Convention, art.275(2).

²⁶