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Annual report of the Secretary-General under article 166, paragraph 4, of the United Nations Convention on the Law of the Sea

Implementing a programmatic approach to capacity development

Report of the Secretary-General

I. Introduction

1. The duty of the International Seabed Authority to design and implement mechanisms to build capacity for developing States, in accordance with its mandate under the United Nations Convention on the Law of the Sea, is recognized in the strategic plan of the Authority for the period 2019–2023 (ISBA/24/A/10, annex). Such mechanisms should aim not only at promoting and encouraging the transfer of technology to developing States¹ but also at ensuring the expansion of opportunities for participation in activities in the Area.² 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 direction 5 (Build capacity for developing States) and strategic direction 6 (Ensure fully integrated participation by developing States) are aimed at accomplishing this objective.

2. As indicated in the high-level action plan of the Authority for the period 2019–2023 relating to the implementation of the strategic plan (ISBA/25/A/15, annex II, and ISBA/25/A/15/Corr.1), specific actions need to be undertaken by the secretariat by 2020. One of those is to assist developing States, in particular geographically disadvantaged States, small island developing States, least developed countries and landlocked developing countries, in identifying their needs (high-level action 5.1.1).

3. To deliver against this objective, the secretariat convened a workshop on capacity development, resources and needs assessment in Kingston, in February 2020. The

* ISBA/26/A/L.1.

¹ United Nations Convention on the Law of the Sea, arts.144, 273 and 274.

² Ibid., art.148.



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 members³ and observers⁴ of the Authority, experts from international, regional and national organizations,⁵ as well as contractors⁶ and national experts.⁷ The report of the workshop is available on the Authority's website,⁸ as well as a summary of the outcomes (ISBA/26/A/12).

4. Pursuant to high-level action 5.1.3 (Undertake regular assessment of the effectiveness and relevance of capacity-building programmes and initiatives implemented by the Authority), and as an input to the workshop, the secretariat, with the assistance of consultants,⁹ had prepared a comprehensive review of all capacity-building programmes and initiatives implemented by the Authority between 1994 and 2019.¹⁰ 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.¹¹ 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 2020.¹²

5. In addition, the secretariat conducted a survey with all members of the Authority between April and June 2020 in which they were invited to identify their priority capacity development needs relating to the role and mandate given to the Authority under the Convention.

6. The present report covers the high-level actions listed in the table below and their associated outputs. The report contains an overview of the key findings of the review, followed by a summary of the results of the survey. These are complemented by a short summary of the main conclusions and an outline of the core elements that the secretariat will need to take into consideration in the development of a dedicated strategy for capacity development.

³ 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.

⁴ Ethiopia, Centre for Borders Research of Durham University, Interridge and Pew Charitable Trusts.

⁵ 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.

⁶ 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.

⁷ From Ghana, India, Kiribati and Togo.

⁸ See www.isa.org/jm/node/19637.

⁹ 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.

¹⁰ Available at <https://isa.org/jm/files/files/documents/CD%20assessment%20report.pdf>.

¹¹ The list of members of the advisory committee is provided in annex 1 to the review.

¹² Colombia and Peru are observers to the Authority.

Relevant high-level actions

<i>Strategic direction</i>	<i>High-level action</i>
5.1.1	Assist developing States, in particular geographically disadvantaged States, small island developing States, least developed countries and landlocked developing countries, in identifying their needs
5.1.2	Adjust capacity-building programmes as necessary to meet the needs of developing States
5.1.3	Undertake regular assessment of the effectiveness and relevance of capacity-building programmes and initiatives implemented by the Authority
5.4.1	Undertake regular assessment of contractors' training programmes and their long-term impact on capacity-building
5.4.2	Facilitate the adjustment of contractors' training programmes to meet the needs of developing States
6.1.1	Develop measures to increase participation by developing States in the implementation of the regime for the Area
6.1.2	Identify and address the needs of developing States in the implementation of the regime for the Area
6.2.1	Consult developing States members of the authority to identify potential barriers to participation and devise mechanisms to address them
6.3.1	Identify training opportunities for personnel from developing States in marine science and technology
6.3.2	Actively promote partnerships with Governments, contractors and international organizations to maintain and develop training opportunities for personnel from developing States
6.3.3	Identify and develop measures to strengthen the role of women in deep seabed-related activities and, in particular, deep seabed research

II. Overview of the key findings of the *Review of Capacity-Building Programmes and Initiatives Implemented by the International Seabed Authority 1994–2019*

7. Since 1994, more than 400 individuals from all regions have benefited from the capacity-building programmes and initiatives implemented by the Authority. While such an achievement underscores the importance of the responsibilities entrusted to the Authority under the Convention 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 in ensuring that all countries can participate in activities in the Area, more needs to be done. This is particularly important for ensuring that, in future, the specific needs of the members of the Authority, especially those identified by least developing countries, landlocked developing countries and small island developing States, are met.

1. Contractor training programme

8. From 1994 to 2019, more than 140 individuals were trained under the contractor training programme. This corresponded to 27 individuals from 19 countries under the

“pioneer investor” period (between 1994 and 1999), 10 individuals during the period 2008–2012 and 118 individuals from 37 countries during the period 2013–2019.

9. Between 2013 and 2019, 35 per cent of trainees were from the Group of African States, 35 per cent from the Group of Asia-Pacific States and 28 per cent from the Group of Latin American and Caribbean States. Of the total number of participants, 16 per cent (17 participants) were from small island developing States¹³ and 9 per cent (10 participants) were from least developed countries and landlocked developing countries.¹⁴ During the same period, various types of training were offered by contractors, the majority being at-sea training on board research vessels (57 per cent), followed by short-term onshore training courses and fellowships (16 per cent), participation in seminars, workshops and conferences (12 per cent), internships (11 per cent) and master degree and PhD programmes (4 per cent). In terms of gender distribution, of the 108 trainees between 2013 and 2019, 49 were women (i.e., 45 per cent).

10. The implementation of the contractor training programme has improved over the years with the issuance by the Legal and Technical Commission of recommendations for the guidance of contractors and sponsoring States (ISBA/19/LTC/14) and the implementation by the secretariat of the recommendations put forward in various reports and reviews. Nevertheless, several challenges remain, such as the need to determine what constitutes the “training equivalent of at least 10 trainees” (ibid., para. 16, recommendation A.4), the fact that, sometimes, not enough applications from suitably qualified candidates are received; the fact that training places can be lost because of rejected or delayed visa applications for trainees to travel to the countries of training or, in some cases, to the countries of embarkation (at-sea training) and when selected candidates notify the contractor late of their non-availability to participate.

2. Endowment Fund for Marine Scientific Research in the Area

11. The Endowment Fund for Marine Scientific Research in the Area was established by the Assembly at its twelfth session, in 2006 (see ISBA/12/A/11). Pursuant to article 143, paragraphs 2 and 3, of the Convention, the main objectives of the Fund are to enable the Authority to promote and encourage the conduct of marine scientific research in the Area, including through the development of programmes designed to benefit developing States and technologically less developed States. Accordingly, the purposes of the Fund are to promote and encourage the conduct of marine scientific research in the Area for the benefit of humankind as a whole, in particular by supporting the participation of qualified scientists and technical personnel from developing countries in marine scientific research programmes and by providing them with opportunities to participate in training, technical assistance and scientific cooperation programmes (ibid., para. 2).

12. As of June 2020, 145 qualified individuals from 50 countries had benefited from training, research and other activities carried out by various institutions with grants allocated under the Endowment Fund. Thirty-nine per cent of the beneficiaries were from the Group of Asia-Pacific States, 36 per cent from the Group of African States and 16 per cent from the Group of Latin American and Caribbean States. A small number of individuals (5 per cent) from the Eastern European Group and the Group of Western European and Other States also benefited from the Fund. Of the total number of beneficiaries, 69 per cent were from small island developing States¹⁵ and

¹³ Cook Islands, Cuba, Fiji, Jamaica, Kiribati, Papua New Guinea, Solomon Islands and Trinidad and Tobago.

¹⁴ Bangladesh, Burkina Faso, Gambia, Madagascar and Myanmar.

¹⁵ Cook Islands, Fiji, Guyana, Jamaica, Micronesia (Federated States of), Papua New Guinea, Suriname, Tonga and Trinidad and Tobago.

31 per cent from least developed countries.¹⁶ No individuals from landlocked developing countries benefited from the Fund. Approximately thirty-nine per cent of beneficiaries were women. Between 2008 and 2019, 22 contributions, by a small number of member States and one contractor, were made to the Fund. The main contributors have been Germany (\$276,719), Norway (\$250,000), Japan (\$100,000), the United Kingdom of Great Britain and Northern Ireland (\$75,053) and Mexico (\$37,500). Other donors include the Republic of Korea (\$30,000), Spain (\$25,514), China (\$20,000), Nigeria (\$10,000), Monaco (\$5,251) and Tonga (\$1,000).

13. The following issues were identified as the main challenges faced in the operation of the Endowment Fund: the Authority is not consulted in the design of capacity-building activities or in the selection of participants; a significant number of training opportunities have focused on oceans law and policy rather than the implementation of article 143, paragraphs 2 and 3, of the Convention;¹⁷ and the need to expand the network of institutions receiving grants and to ensure that the network represents institutions from different regions. In terms of financing of the Fund, contributions have been made so far only by members of the Authority and one contractor, even though the terms of reference allow for contributions to be received from a large range of entities. One particular constraint that was identified is that only the interest accrued on the capital of the Fund may be used. This seems to have acted as an impediment to the full implementation of the objectives of the Fund. In fact, the value of the Fund has declined in real terms owing to low interest rates and failure to reinvest gains.

3. Internship programme

14. The internship programme was initiated in 2014 with two main objectives. First, to provide a framework through which students and young government officials from diverse academic backgrounds can gain exposure to the work and functions of the Authority. Second, to enable the Authority to benefit from the assistance of qualified students and young government officials specialized in various areas of its scope of activities.

15. As of June 2020, a total of 34 university graduates or government officials¹⁸ had participated in the internship programme. Among them, 33 per cent were from the Group of Western European and Other States and 23 per cent from the Group of Latin American and Caribbean States. Three interns were from observer States. In addition, 32 per cent were from small island developing States.¹⁹ Furthermore, the vast majority (78 per cent) of interns were women. There have been no interns from the Group of African States, the Eastern European Group, least developed countries or landlocked developing countries.

16. The main challenges identified are: the need to develop an advanced selection planning; the need to improve communications and outreach towards relevant institutions, universities or government agencies to ensure that a sufficient number of suitably qualified candidates are aware of the opportunities offered; the need to ensure the monitoring of former interns; and the fact that all costs associated with internships have to be covered by the participants themselves. The secretariat has addressed some of those issues, and the Secretary-General promulgated new internal procedures for the administration of the internship programme in July 2020. It is hoped that the

¹⁶ Angola, Bangladesh, Madagascar, Mauritania and Sierra Leone.

¹⁷ In a document submitted at the twenty-fifth session of the Assembly (ISBA/25/A/8), the Group of African States suggested that the majority of grants were allocated to the law of the sea and not to science and technology. However, a detailed analysis shows that 52 per cent of funded projects focused on scientific topics, while 48 per cent related to the law of the sea.

¹⁸ From Australia, Belgium, Brazil, Chile, China, Colombia, the Cook Islands, Ecuador, Fiji, France, Germany, Italy, Jamaica, Japan, Norway, Papua New Guinea, Tonga, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

¹⁹ Cook Islands, Jamaica, Papua New Guinea and Tonga.

strengthening of internal processes will provide a platform for mobilizing additional resources to broaden the scope of the programme.

4. Awareness-raising seminars

17. Since 2007, the Authority has organized a series of national and regional seminars to raise awareness of the work that it carries out in compliance with the mandate assigned to it under the Convention and the 1994 Agreement. To date, 13 seminars have been held, in Manado, Indonesia (2007), Rio de Janeiro, Brazil (2008), Abuja (2009), Madrid (2010), Kingston (2011), Mexico City (2013), New York (2010, 2012 and 2014), Pretoria (2015), Santiago (2015), Kampala (2017) and Nay Pyi Daw (2019).

18. One of the main challenges associated with the organization of such seminars is that there has never been core funding for them, and they have therefore been held on an ad hoc basis, using extra-budgetary donations or budget savings. As a result, the seminars have not been organized in a programmatic way, but in response to an expression of interest from a country, which is expected to provide a venue and local facilities. For the same reasons, as well as the lack of a programmatic approach within the Authority, it has generally not been possible to publish systematically the outcomes of the seminars that have been held, which means that much information of value may be lost. For all these reasons, it was difficult in the context of the review to attribute value in an objective way to the awareness-raising seminars, even though it is clear that they are very much appreciated by host countries and that, in some cases, they have directly led to concrete and country-driven outcomes. Nevertheless, a major concern is that it is neither practical or feasible for the secretariat to continue to support such seminars on an ad hoc basis without specific budgetary provisions and in a systematic and outcome-oriented way.

5. National and regional research and training centres

19. Pursuant to paragraph 1 of article 275 of the Convention, States, directly or through competent international organizations and the Authority, are required to promote 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 coastal States and to enhance their national capabilities to utilize and preserve their marine resources for their economic benefit. Such national centres should provide for advanced training facilities and necessary equipment, skills and know-how as well as technical experts to such States that may need and request such assistance (*ibid.*, para. 2).

20. The Convention also envisages the establishment of regional marine scientific and technological research centres, in particular in developing States. This provision is attached to the requirement 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 (Convention, art. 276, para. 1). In accordance with article 277 of the Convention, the functions of such regional centres must include, *inter alia*:

(a) Training and educational programmes at all levels 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 desalination technologies;

(b) Management studies;

(c) Study programmes related to the protection and preservation of the marine environment and the prevention, reduction and control of pollution;

- (d) Organization of regional conferences, seminars and symposiums;
- (e) Acquisition and processing of marine scientific and technological data and information;
- (f) Prompt dissemination of results of marine scientific and technological research in readily available publications;
- (g) Publicizing national policies with regard to the transfer of marine technology and systematic comparative study of those policies;
- (h) Compilation and systematization of information on the marketing of technology and on contracts and other arrangements concerning patents;
- (i) Technical cooperation with other States of the region.

21. In 2019, the Assembly approved the establishment of a joint training and research centre in Qingdao, China, on the basis of a memorandum of understanding signed between the Authority and China with a view to promoting capacity-building and the transfer of marine technology in the light of parts XI, XIII and XIV of the Convention. It is envisaged that the centre will commence its activities in 2020, and it may be considered as a potential model in this regard. The need for national and regional centres has also been identified in national and regional awareness-raising seminars convened by the Authority, and several members have indicated their interest in hosting such centres. Consideration is currently being given by the secretariat to developing a dedicated framework through which it would be possible to organize the identification and establishment of suitable centres, while ensuring synergies and avoiding duplication of work.

III. Identification of national capacity development priorities by the members of the Authority

22. In April 2020, in line with the high-level action plan and the outcomes of the workshop on capacity development, resources and needs assessment, the secretariat conducted a survey to allow members of the Authority, and in particular developing States, to identify their priority capacity-building and capacity development needs as they relate to the role and mandate given to the Authority under the Convention and the 1994 Agreement.

23. A total of 47 responses were received from 33 countries. The largest number of responses received were from the African region (12),²⁰ followed by Asia and the Pacific (11),²¹ Latin America and the Caribbean (8),²² Western Europe (1)²³ and Eastern Europe (1).²⁴

24. Forty-one per cent of respondents indicated that they were responding in their capacity as national focal points. Most of the respondents were from sponsoring States. However, among the 27 individuals who indicated that their country was not a sponsoring State at the time, 24 (89 per cent) indicated that their country was envisaging engaging in activities in the Area.

²⁰ Algeria, Côte d'Ivoire, Ghana, Guinea, Kenya, Mauritius, Morocco, Nigeria, Seychelles, Sierra Leone, South Africa and Zambia.

²¹ Bangladesh, China, Fiji, Indonesia, Japan, Kazakhstan, Kiribati, Myanmar, Nauru, Thailand and Tuvalu.

²² Antigua and Barbuda, Argentina, Bolivia (Plurinational State of), Cuba, Ecuador, Jamaica, Mexico and Saint Kitts and Nevis.

²³ Portugal.

²⁴ Hungary.

1. Development of regional and national frameworks

25. Regarding the status of regional frameworks, 24 (89 per cent) of the 33 individuals who responded to this question indicated that the development of a regional ocean strategy was needed, while 23 (82 per cent) indicated that the development of regional blue economy strategies was also needed. It should also be noted that 27 (93 per cent) of the 33 individuals who responded indicated that a regional ocean research strategy was needed.

26. Regarding national frameworks, 96 per cent of respondents indicated that the development of a national ocean research policy was needed. The same number indicated that attention should be given to the development of a national ocean policy, While 91 per cent of respondents highlighted the need for the development of a national blue economy policy.

2. Marine science and technology capacities

27. A majority of respondents (97 per cent) indicated that their core national priority needs related to access to laboratory equipment and facilities, and deep ocean sampling equipment and instrumentation. This was followed by the need for qualified deep-sea science professionals (96 per cent), digital infrastructure (90 per cent) and research vessels to undertake deep-sea research (89 per cent).

28. When asked to identify the five most important capacity development needs for their country, respondents listed, in order of importance: (a) resources assessment (71 per cent); (b) environmental management and monitoring (67 per cent); (c) environmental impact and risk assessment (66 per cent); (d) data processing and analysis (63 per cent); and (e) deep-sea geology and mineralogy (63 per cent).

29. Respondents identified various tools that could help their countries to meet their capacity priority needs. The main tool thus identified was the establishment of higher-education programmes on deep-sea issues at the national and regional levels (79 per cent of the respondents). This was followed by the need to ensure access to on-board research vessels for training (63 per cent) and land-based laboratory training (60 per cent). Respondents then placed at a similar level of importance the need to organize informational workshops (58 per cent), establish secondment programmes for mid-level national experts within the secretariat (58 per cent), establish national and regional training and research centres (55 per cent) and promote gender equality and increased participation of women scientists in scientific research activities in the Area (55 per cent).

3. Enhancing the role of women in deep-sea research activities

30. Science, technology and innovation are fundamental to address such global challenges as poverty eradication, economic and social development and the protection of the environment. They are also critical to the achievement of the goals and targets of the 2030 Agenda for Sustainable Development and to ensure that developing countries fully benefit from the blue economy. The vital role of women in contributing to such global objectives has been well established and repeatedly reaffirmed by Governments and at major United Nations conferences and meetings. The linkages between this issue and the empowerment of women have also been reaffirmed over the years through a series of normative and policy commitments, including in the Convention on the Elimination of All Forms of Discrimination against Women (1979), the Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women (1995), the Dakar Framework for Action on Education for All, adopted at the World Education Forum (2000), the Tunis Agenda for the Information Society, adopted at the World Summit on the Information Society (2005), the agreed conclusions of the Commission on the Status of Women on access

and participation of women and girls in education, training and science and technology, including for the promotion of women's equal access to full employment and decent work, adopted at its 55th session (2011), and General Assembly resolutions 68/220 on science, technology and innovation for development (2013) and 70/212 on the International Day of Women and Girls in Science (2015).

31. Numerous initiatives have also been adopted and implemented at the global, regional and national levels to ensure the opening up of new opportunities for women in non-traditional and emerging sectors, such as science, technology, engineering, mathematics and the blue economy. However, in general, the participation of women in those sectors remains low, and more efforts are therefore needed to enhance their participation. This is particularly true in the field of deep-sea marine scientific research. To this day, women who wish to engage in marine scientific research face real and substantial challenges that are specific to their gender. It is specifically to address this issue that, at the United Nations Conference to Support the Implementation of Sustainable Development Goal 14, in 2017, the Authority announced its voluntary commitment to “enhancing the role of women in marine scientific research through capacity-building” (#OceanAction15467).

32. It is also worth noting that 35 of the 47 respondents to the survey responded to the question relating to the existence of a national commitment to enhancing the role of women in ocean science. Among them, 18 (51 per cent) indicated that such commitment was lacking in their country, while 47 per cent confirmed the urgent need for such a formal commitment.

IV. Conclusions and recommendations

33. The strategic plan emphasizes the need for the Authority to take a more programmatic approach²⁵ towards the obligations enshrined in the Convention and the 1994 Agreement, in addition to requiring that all capacity-building programmes and their delivery be meaningful, tangible, efficient, effective and targeted at the needs of developing States, as identified by those States.

34. The summary above highlights that the Authority needs to strengthen its capacity to deliver against its strategic objectives. More needs to be done to ensure that the capacity development needs identified by the members of the Authority are addressed. Special consideration will need to be given to the needs of specific groups of States identified in the Convention and the 1994 Agreement or in associated General Assembly resolutions, including least developed countries, landlocked developing countries and small island developing States. Particular consideration will also need to be given to the needs identified by developing States that sponsor activities in the Area or intend to do so.

35. One way of achieving this goal is, in line with articles 143 and 273 of the Convention, to foster strategic partnerships to enhance the impact of capacity development programmes and initiatives, including by enabling States parties to cooperate actively with the Authority to encourage and facilitate the transfer to

²⁵ For more than 20 years, a growing number of multilateral development organizations and international agencies have been using programmatic approaches to support developing States more effectively in targeted development areas, including capacity-building (see Global Environment Facility, *Adding Value and Promoting Higher Impact through the GEF's Programmatic Approach*). This approach is based on the recognition that project-based activities provide recipient countries with very little leverage to influence sector-wide transformations, while a programmatic approach is more likely to deliver synergistic results that benefit all. It also enables targeted States to achieve their own development objectives through the assistance provided, while ensuring that they keep ownership of the outcomes.

developing States, their nationals and the Enterprise of skills and marine technology with regard to activities in the Area.²⁶ Specific emphasis must also be given to ensuring that, pursuant to article 144 of the Convention and section 5 of the annex to the 1994 Agreement, the conditions are in place to enable States parties to promote international technical and scientific cooperation with regard to activities in the Area, either among the parties concerned or by developing training, technical assistance and scientific cooperation programmes in marine science and technology and the protection and preservation of the marine environment.

36. The secretariat is required in the high-level action plan to develop a capacity-building strategy for the Authority that addresses the needs identified by its members. The main conclusion that may be drawn from the present report, based on the review, the recommendations of the workshop on capacity development, resources and needs assessment, input from members of the Authority and responses to the survey, is that the core elements of such a strategy may be identified as follows:

Strategic objectives

(a) Ensure that all capacity-building and capacity development programmes and initiatives are aligned with and address the priority needs of developing States, as identified by them, in particular least developed countries, landlocked developing countries and small island developing States;

(b) Continue to raise awareness of the benefits of the Convention for least developed countries, landlocked developing countries and small island developing States;

Monitoring, evaluation and learning

(c) Develop clear indicators and targets for all types and categories of training;

(d) Develop clear indicators to assess the quality and impact of the capacity development activities implemented against the related objectives;

(e) Ensure the monitoring and assessment of the long-term benefits of training programmes, including the contractor training programme, by monitoring the career development of former trainees;

(f) Regularly inform the countries of nationality of individuals having benefited from capacity development activities implemented by the Authority;

(g) Establish a network of former trainees with a view to monitoring the impact of such training and to enabling the secretariat to use the expertise of former trainees, when possible, as experts or consultants;

Communications and outreach

(h) Encourage the identification by members of the Authority of dedicated focal points to facilitate the dissemination at the national level of information on capacity development programmes and activities to be implemented by the Authority;

²⁶ Article 273 of the Convention reads: "States shall cooperate actively 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." Thirty-one respondents (86 per cent) to the survey recommended that the Authority establish partnerships with regional organizations to design and implement capacity development programmes and initiatives. In addition, 91 per cent indicated that there were already some institutions (national agencies, universities, research centres, non-governmental organizations or other) at the national level that could be included in the network of institutions for the dissemination of training and capacity development opportunities.

(i) Establish a network of academic and research institutions and diplomatic academies that could be engaged by the secretariat, in order to involve institutions from different regions in the pool of institutions submitting proposals for funding under the Endowment Fund, and disseminate information through the network on all capacity development activities implemented by the Authority;

(j) Establish an online training platform that would enable the sharing of information and the outcomes of marine scientific research cruises or programmes;

(k) Establish an audiovisual library dedicated to raising awareness of the role and function of the Authority and of critical issues under discussion by the Council and the Assembly;

Strategic partnerships

(l) Develop strategic partnerships with existing national and regional institutions to strengthen international cooperation for capacity-building and capacity development and the transfer of marine science technology;

(m) Encourage the development of joint or collaborative programmes between parent institutions of trainees and institutions providing training on behalf of contractors, with a view to promoting sustained benefits from training programmes;

(n) Develop, in cooperation with other institutions of the United Nations-Nippon Foundation of Japan Fellowship Programme, a specific module on the implementation of the legal regime of the Area;

(o) Develop further a programmatic approach to regional awareness-raising seminars held at the regional level, to include both States parties and non-parties, wherever possible in partnership with relevant regional organizations;

Additional developments

(p) Extend the benefit of contractor training programmes to personnel of the Authority in order to give them more practical experience, especially through participation in scientific cruises for environmental and resource-related research;

(q) Review the terms of reference of the Endowment Fund to address the challenges identified, in particular to allow the use of the capital of the Fund to support training and technical assistance activities;

Resources

(r) Expand the network of cooperating institutions to maximize funding opportunities for supporting training and technical assistance activities;

(s) Ensure that the core budget of the Authority includes provisions for at least one awareness-raising seminar during each financial period, with additional funds mobilized through partnerships and extra-budgetary contributions;

(t) Explore opportunities to ensure sustainable funding for the functioning of regional centres, including by exploring arrangements necessary for co-funding by regional institutions;

(u) In line with the decision of the Assembly on the guidelines for observer status of non-governmental organizations with the Authority adopted at its twenty-fifth session (ISBA/25/A/16), engage discussion with non-governmental organizations having observer status with the Authority to identify how they intend to contribute to the capacity development programmes and activities implemented by the Authority;

(v) Explore options to secure financial contributions from members of and observers to the Authority, as well as contractors, to enable interns from developing States, in particular least developed countries, landlocked developing countries and small island developing States, to undertake internships within the secretariat.

37. Up to now, there has been no specific budget allocation to capacity development, and all efforts made have been the result of resources mobilized through extra-budgetary contributions or mandatory programmes, such as the contractor training programme. The importance of reinforcing the budget of the Authority to allow for the design and implementation of capacity development programmes and initiatives that address the priority needs identified by developing States members of the Authority was highlighted by 60.6 per cent of the respondents to the survey. For this reason, the proposed budget for the financial period 2021–2022 includes for the first time a programme relating to capacity development (see [ISBA/26/A/5-ISBA/26/C/18](#)). Nevertheless, in the context of the strategy dedicated to capacity development, further consideration will need to be given to developing a resource mobilization strategy that will be critical to ensuring the sustainability of all capacity development responses.

38. The Assembly is invited to take note of the present report and to adopt the draft decision in the annex.

Annex

Draft decision of the Assembly of the International Seabed Authority relating to the implementation of a programmatic approach to capacity development

The Assembly of the International Seabed Authority,

Recalling its decision of 26 July 2018, adopted at its twenty-fourth session,¹ by which it adopted the strategic plan of the Authority for the period 2019–2023,

Recalling also its decision of 24 July 2019, adopted at its twenty-fifth session,² by which it adopted the high-level action plan for the Authority for the period 2019–2023 as well as performance indicators for each of the strategic directions in the strategic plan,

Having considered the report of the Secretary-General³ in which he provided the required information on the assessment of capacity-building programmes and activities undertaken by the Authority since 1994, as well as on the adjustments needed to ensure that such programmes and activities better meet the capacity-building needs of developing States,

Considering the priorities for capacity development identified by the members of the Authority,

Committed to further building the capacity of developing States, in particular geographically disadvantaged States, small island developing States, least developed countries and landlocked developing countries, as well as ensuring their fully integrated participation in the activities undertaken in the Area,

Emphasizing the importance of a dedicated strategy for capacity development that addresses the needs identified by the members of the Authority,

1. *Takes note* of the report of the Secretary-General;
2. *Requests* that the Secretary-General develop and implement a dedicated strategy for capacity development, taking into account the elements identified in paragraph 36 of his report, and to report thereon to the Assembly at its twenty-seventh session;
3. *Also requests* that the Secretary-General explore options to mobilize additional resources to provide financial support for the implementation of the dedicated strategy;
4. *Invites* members of the Authority to establish and inform the Secretary-General of national focal points in charge of liaising with the secretariat on matters relating to capacity development, taking into account the terms of reference for such focal points as set out in the annex;
5. *Encourages* members of the Authority to participate fully in the implementation of the dedicated strategy, including through development of programmes of scientific cooperation with regard to activities in the Area, as well as training, technical assistance and scientific cooperation programmes in marine science and technology and the protection and preservation of the marine environment;
6. *Invites* contractors, the private sector, civil society, academia and foundations to contribute to the implementation of the dedicated strategy in their respective areas of competence, in line with the priorities identified by developing States members of the Authority.

¹ ISBA/24/A/10.

² ISBA/25/A/15 and ISBA/25/A/15/Corr.1.

³ ISBA/26/A/7.

Annex

Terms of reference for national focal points in charge of liaising with the secretariat on matters relating to capacity development

1. Capacity-building and capacity development are essential aspects of the mandate of the International Seabed Authority under the United Nations Convention on the Law of the Sea 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. The duty of the Authority to ensure that a variety of capacity-building mechanisms are developed is recognized in the strategic plan of the Authority for the period 2019–2023.¹ Such mechanisms should be aimed not only at facilitating the transfer of technology to developing States² but also at ensuring the expansion of opportunities for their participation in activities in the Area.³ In the light of the foregoing, members of the Authority have identified that the challenge lies in the identification of appropriate mechanisms, including tailored programmes and initiatives, to ensure the fully integrated participation of developing States in activities in the Area at all levels. Strategic direction 5 (Build capacity for developing States) and strategic direction 6 (Ensure fully integrated participation by developing States) are aimed at accomplishing this objective.

2. Pursuant to the request by participants in the workshop on capacity development, resources and needs assessment held by the secretariat in Kingston in February 2020 to develop terms of reference for national focal points in charge of liaising with the secretariat on matters relating to capacity development, the role and responsibilities of such focal points are established as follows:

(a) To facilitate dissemination at the national level of information on capacity development programmes and activities to be implemented by the Authority;

(b) To act as point of liaison between the secretariat and the member of the Authority on any matters relating to capacity-building and capacity development;

(c) To help to identify potential partners at the national level with which the Authority could develop, in close cooperation, initiatives for training and capacity development;

(d) To raise awareness among national ministries and other relevant agencies of the mandate of the Authority under the Convention and the 1994 Agreement in relation to capacity-building and capacity development;

(e) To help to identify needs for technical assistance by the Authority in order to support national or regional initiatives relevant to the mandate of the Authority;

(f) To support the work of the secretariat in establishing a network of institutions that could contribute to the implementation of the dedicated strategy of the Authority for capacity development.

3. The secretariat shall keep national focal points up to date on activities undertaken in cooperation with national focal points for capacity-building and capacity development.

¹ ISBA/24/A/10, annex.

² United Nations Convention on the Law of the Sea, arts.144, 273 and 274.

³ Ibid., art. 148.