



Assembly

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Request for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly on behalf of the Durham University's Centre for Borders Research

Note by the Secretariat

1. On 19 May 2016, the Durham University's Centre for Borders Research submitted a letter to the Secretary-General of the International Seabed Authority, requesting observer status in the Assembly of the Authority. The text of the letter and additional information provided by the applicant are contained in annexes I and II to the present note.
2. In accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly, non-governmental organizations with which the Secretary-General has entered into arrangements in accordance with article 169, paragraph 1, of the United Nations Convention on the Law of the Sea, and other non-governmental organizations invited by the Assembly that have demonstrated their interest in matters under consideration by the Assembly, may participate as observers in the Assembly.
3. Paragraphs 5 and 6 of the same rule provide that observers referred to in paragraph 1 (e) of that rule may sit at public meetings of the Assembly, and upon the invitation of the President and subject to approval by the Assembly, may make oral statements on questions within the scope of their activities, and that written statements submitted by observers referred to in paragraph 1 (e) of that rule within the scope of their activities that are relevant to the work of the Assembly should be made available by the secretariat in the quantities and the languages in which the statements are submitted.



Annex I

Letter dated 19 May 2016 from Philip Steinberg, Director of the Durham University's Centre for Borders Research, addressed to the Secretary-General of the International Seabed Authority

1. The Durham University's Centre for Borders Research respectfully requests recognition by the Assembly as an observer in the Assembly of the International Seabed Authority under the provisions of rule 82 (1) (e) of the rules of procedure of the Assembly.

2. The Durham University's Centre for Borders Research is a centre within the Department of Geography at Durham University. Since its founding as the International Boundaries Research Unit in 1989, it has coordinated training courses on international boundary-making and dispute resolution, provided expert testimony in boundary-related arbitrations and judicial proceedings, delivered technical assistance in surveying and mapping, communicated the intricacies of boundary issues to the mass media and conducted research on a range of geographic questions concerning the changing nature of sovereignty, territory, citizenship and the political organization of space. Representatives from 124 States around the world have attended the Centre's training courses on topics including maritime boundary delimitation, boundary dispute resolution and outer continental shelf definition and management.

3. By educating practitioners and the public about the rule of law in spaces on and beyond the borders of sovereign States, the Centre seeks to facilitate the peaceful resolution of boundary disputes and the sustainable management of economies and environments on and beyond State borders.

4. The Centre recognizes that the Area poses unique challenges and opportunities for cooperative governance, environmental management and economic development, and we wish to contribute to the International Seabed Authority's efforts to address these challenges. We believe that the Authority, sponsoring States, contractors and the Centre itself can all benefit from the involvement of the Centre as an official non-governmental observer with the International Seabed Authority and respectfully request your support with the present application for recognition.

(Signed) Philip **Steinberg**

Director

The Durham University's Centre for Borders Research
United Kingdom of Great Britain and Northern Ireland

Annex II

International Seabed Authority observer status request

A. Name of organization

The Durham University's Centre for Borders Research

B. Address of office

The Durham University's Centre for Borders Research
 Department of Geography
 Durham University
 South Road, Lower Mountjoy
 Durham DH1 3LE
 United Kingdom of Great Britain and Northern Ireland

C. Name and address of proposed primary representatives

Chair

Professor Philip Steinberg, Department of Geography, Durham University,
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D. Aims and purpose of the Durham University's Centre for Borders Research

1. The Durham University's Centre for Borders Research, a research and education centre within the Durham University's Department of Geography, seeks to facilitate enhanced understanding of border areas, contribute to the peaceful resolution of boundary disputes and engage with broader geographic questions concerning the changing nature of sovereignty, territory, citizenship and the political organization of space.

2. Since its founding as the International Boundaries Research Unit in 1989, the Centre has been the world's leading research and education centre on international boundary-making and dispute resolution, creating an impact through the services it provides to the public and private sectors. Currently, the Centre brings together work in international boundary law with the geographic study of borders and bordering in the twenty-first century.

3. The Centre's activities are in three main areas:

(a) **Research and communications:** through the organization of specialized workshops and conferences, as well as the publication of specialized maps and geospatial databases, the Centre and its affiliated researchers have developed and disseminated understanding of the arbitrations and court decisions by which boundary lines are delimited; the collection of data that regulate border crossings; the representations of borders in legal documents and maps; the implementation of regimes that govern transboundary movements; the refraction of borders to

construct new divisions and connections within and across State boundaries; and the role of borders in both enabling and challenging efforts to obtain global justice;

(b) **Consultancy:** since its founding, the Centre has provided support to Governments around the world looking to solve, or prevent, international boundary disputes through the provision of advice and technical assistance. In addition, it has provided services to corporations seeking to determine the precise location of international boundary lines and has developed geospatial data information for commercial map publishers;

(c) **Training:** each year, the Centre conducts a number of training workshops on practical aspects of boundary-making and dispute resolution. The workshops are targeted for decision makers involved in boundary-making, including diplomats, legal advisers, military officers, surveyors, cartographers, oil and gas exploration managers, consultants and senior academics.

E. History

1. The International Boundaries Research Unit was founded in 1989, when Gerald Blake, Durham University professor of political geography, recognized that Governments around the world required specialized assistance on international boundary issues. Under the leadership of professor Martin Pratt, who directed the Unit from 2002 to 2013, it developed the mix of research, consultancy and training activities described above, with key outputs in the early years being the Boundary and Territory Briefings and Maritime Briefings case study series, the Boundary and Security Bulletins series and volumes in the Kluwer International Boundary Studies and Routledge World Boundaries book series. The Centre's map of maritime jurisdiction and boundaries in the Arctic region, first issued in 2008 and revised several times since, has been reprinted extensively and is generally recognized as the definitive map depicting potential, filed and recognized claims made by States to the Commission on the Limits of the Continental Shelf in the Arctic region.

2. Since 1996, the Centre has conducted training workshops around the world for 1,565 individuals from 124 different countries, including representatives from over 150 organizations, government departments, non-governmental organizations and multinational corporations. In addition, it has conducted a number of bespoke training sessions for individual States and ministries and provided technical advice in the cartographic and legal areas. From 1997 to 2005, the Unit partnered with the Law School at Durham University to offer a master's degree in international boundaries.

3. In 2014 the International Boundaries Research Unit was reorganized as the Durham University's Centre for Borders Research under the leadership of its current director, professor Philip Steinberg, with guidance from a steering committee composed of researchers from both the Department of Geography and the Law School. Since then, it has maintained its training and consulting activities while expanding its research beyond international boundaries to consider other border-related concerns, including transborder migration, border management and the governance of extraterritorial spaces.

F. Recent activities

Recent activities in each of the Centre's three main activity areas are as follows:

(a) Research and communications

(i) Ongoing or recently completed research projects include the Ice Law Project, which examines environmental challenges to legal categories in the world's polar regions; Navigating a Changed Landscape, which examines the impacts of regionalized migration policies in South-East Asia; and Offshoring Geopolitical Order, which explores the intersection between offshore oil and gas development and geopolitical conflict in the eastern and south-eastern Mediterranean. In addition, the Centre's Director coordinates the seabed work package within the European Union-funded Ocean governance COST Action, a network that seeks to address European institutional fragmentation by strengthening a regionally integrated perspective on sustainability challenges.

(ii) The Centre continues to update its maps of maritime jurisdiction and boundaries in the Arctic and South Atlantic regions, and its personnel frequently are asked by the media to comment on legal and geopolitical questions in maritime regions, including recent extensive interviews with BBC (the British Broadcasting Corporation, United Kingdom), *The Guardian* (United Kingdom), the British Forces Broadcasting Service (United Kingdom), ZDF (Zweites Deutsches Fernsehen, Germany), Deutsche Welle (Germany), RT (Russian Federation), *The National* (United Arab Emirates), NRK (Norway), *Dagens Næringsliv* (Norway) and *Eesti Pävaleht* (Estonia).

(b) Consultancy

(i) In addition to work for individual States associated with cases before the Permanent Court of Arbitration and other dispute resolution mechanisms, the Centre has been involved in a number of ventures supported by development agencies or regional organizations. One example is the work the Centre initiated in 2011, when it helped organize training workshops to assist the Government of Mozambique as it prepared for international negotiations sponsored by the African Union Border Programme. The Centre provided further assistance in a consulting capacity with subsequent work on revalidating Mozambique's baselines. This process has been vital to re-examining a range of disputed claims to mineral resources, such as those on the Malawi border, emergent fisheries in the south-west Indian Ocean and international interest in hydrocarbon resources of the seabed. Some of the terrestrial borders remain under discussion but the Centre-trained negotiators reached rapid agreement with the Comoros, Seychelles and the United Republic of Tanzania on the delimitation of their mutual maritime boundaries, with three new bilateral boundary agreements, two tripoint agreements and the revision of an existing boundary agreement.

(ii) The Centre has also had an impact on the practicalities of boundary-making through its leading use of modern technology to create open-access geospatial data products. For example, its research has highlighted the importance of rivers as supposedly convenient "natural" boundaries and the practical problems associated with them. Through the Royal Geographical

Society-funded International River Boundaries Database programme, it has created a database that has been adopted by the United States Department of State as well as Google (and Google Earth), thereby helping to improve the accuracy of international boundary maps for millions of computer users worldwide.

(c) Training

Each year, the Centre conducts a number of workshops, typically with 20 to 30 attendees at each, as well as occasional bespoke workshops for individual government ministries. The workshop roster for 2016 is representative of the courses on offer:

(a) Defining, Delimiting and Managing the Outer Continental Shelf (Washington, D.C., February 2016, offered in partnership with Foley Hoag LLP);

(b) Boundary Disputes and Their Resolution (a bespoke training session for the Foreign and Commonwealth Office of the United Kingdom, London, February 2016);

(c) Negotiating International Boundaries (Durham, May 2016);

(d) Preparing for Third-Party Settlement of Boundary and Territorial Disputes (The Hague, September 2016, offered in partnership with Eversheds LLP);

(e) Islands in Maritime Jurisdiction and Boundary Delimitation (Dubai, November 2016, offered in partnership with the University of Wollongong's Australian National Centre for Ocean Resources and Security).

G. Descriptive statement of the extent to which the purposes of the Durham University's Centre for Borders Research relate to those of the International Seabed Authority, including, in particular, the contributions that can be made to the progress of the Authority

(1) As an organization committed to increasing awareness of and the capacity for the peaceful and productive governance of spaces that lie across or beyond State borders, the Centre's overall mission is broadly aligned with that of the Authority. Specifically, the bulk of the Centre's focus — both in its training and consulting programmes and in its research expertise — is in maritime spaces. The Centre is presently embarking on a project to research how assessments of environmental risk and stakeholder participation in subsea areas (both under sovereign jurisdiction and in the Area) can inform the design and enforcement of regulations where neither the scope of risk nor the identification of stakeholders is readily evident. It intends to share its findings regarding best practices with the Authority as it develops a mining code for the Area and, more broadly, as it develops processes for incorporating the views of interested parties.

(2) In addition, the Centre will offer its expertise in communicating information about cross-boundary and extraterritorial issues and their relation to resource extraction as well as its expertise in geospatial data management and visualization. As an organization that has long been committed to peaceful and stable order in the oceans, the Centre seeks to share its experience and expertise with the Authority as that body undertakes its mission of managing the resources of the international seabed.

H. Structure

(1) As a part of Durham University's Department of Geography, the Centre for Borders Research is an accounting unit within the University's Faculty of Social Science and Health (within which the Department is located). Day-to-day programmatic decisions are made by the Director of the Centre, who is a full-time professor in the Department, with a part-time secondment to the Centre, and who reports to the Head of the Department. Broader strategic direction is given by a five-person steering committee consisting of three members of staff from the Department and two from the Law School.

(2) Durham University's Department of Geography is routinely ranked among the top three geography departments in the United Kingdom and among the top five in the world. Recent rankings place the University as a whole among the top 7 universities in the United Kingdom and among the top 70 universities in the world. Its offerings in the social sciences were ranked thirty-sixth in the world in the most recent (2015) Times Higher Education world university rankings.

I. Partner organizations

As an academic research and training unit within Durham University, the Centre does not maintain formal membership in external organizations or have constituent members. Training workshops are often undertaken in collaboration with international law firms, mapping firms, or relevant academic units at other universities. Recent major partners in these ventures have included Foley Hoag LLP, Eversheds LLP, Bordermap Consulting Ltd., the Centre for International Law at the National University of Singapore and the Australian Centre for Ocean Resources and Security at the University of Wollongong. Partners in ongoing research projects include the University of Warwick (United Kingdom), the University of Lapland (Finland), the University of Akureyri (Iceland), Dalhousie University (Canada) and Indiana University (United States of America). Funding for current Centre research projects is provided by the Leverhulme Trust and the European Union's Horizon 2020 programme.
