



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 RESOLVE

Note by the secretariat

1. On 2 June 2016, the President of RESOLVE, an independent non-profit organization, submitted a letter to the Secretary-General of the International Seabed Authority requesting observer status in the Assembly of the Authority. The letter and additional information provided by the applicant are contained in annexes I and II to the present document.
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. Paragraph 5 of rule 82 further provides 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. Paragraph 6 of rule 82 provides 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 in the languages in which the statements are submitted.



Annex I

Letter dated 2 June 2016 from the President of RESOLVE addressed to the Secretary-General of the International Seabed Authority

In accordance with rule 82 of the rules of procedure of the Assembly of the International Seabed Authority, RESOLVE respectfully requests recognition by the Assembly as an observer to the Authority under the provisions of rule 82, paragraph 1 (e), of the rules of procedure of the Authority.

RESOLVE is an independent non-profit organization with nearly 40 years of experience providing collaborative problem solving and neutral mediation and facilitation services on complex environmental, public health and social issues. Our work ranges from the facilitation of large public meetings to multiparty consensus-building and mediation around specific disputes. We also work with partners to design solution-focused initiatives. Our work is grounded in problem solving, process expertise and a commitment to fostering relationships, advancing learning and identifying best practices in order to achieve results. Our team has extensive experience working with non-profit organizations, private corporations, government agencies, academic experts and international organizations.

Through our work on numerous collaborative projects and resource management initiatives, the RESOLVE team has developed processes and tools for effectively facilitating collaboration around complex resource management processes. RESOLVE senior leaders have decades of experience working on policy issues in the mining and metals sector, including deep seabed mining. Over the past two years, RESOLVE has worked with a wide range of stakeholders, including staff of the Authority, contractors, governmental organizations, environmental organizations and the World Economic Forum, to explore issues related to the environmental, social and economic issues, risks and benefits associated with deep seabed mining.

In 2014, RESOLVE, the World Economic Forum and the Authority developed, and RESOLVE secured funding for, a series of expert workshops on key issues related to the development of a policy framework for deep seabed mining. In October 2015, RESOLVE, in collaboration with the Authority, the Global Agenda Councils of the World Economic Forum on Oceans and the Future of Mining and Metals, the Commonwealth Secretariat, the Institute for Advanced Studies in Sustainability and the University of California, San Diego, convened a meeting of a small and focused group of economic and policy experts with key stakeholders from the public and private sectors in order to provide input on best practices for transparency in deep seabed mining, analyse the economic benefits to be derived from deep seabed mining within and beyond national jurisdiction, investigate potential mechanisms for sharing such benefits and improve understanding of environmental issues and emerging best practices.

In May 2016, RESOLVE, in collaboration with Global Sea Mineral Resources, the Authority and the University of California, San Diego, convened the Deep Seabed Mining Fiscal Regime Workshop. The event brought together economists, contractors, members of the Legal and Technical Commission of the Authority and other interested parties to discuss guiding principles and recommendations for the

development of an initial payment mechanism in the Area and to consider and discuss concepts for the administration and management of a payment mechanism. The group also discussed options for integrating environmental considerations into a payment mechanism, support for technological innovation and shared ideas about the direction and development of a longer-term payment mechanism.

In July 2016, RESOLVE and the Pew Charitable Trusts are convening a side event on the margins of the twenty-second session of the Authority, entitled “Enhancing multi-stakeholder participation and transparency in the International Seabed Authority”. The workshop will provide an opportunity for participants to share and discuss perspectives and ideas regarding stakeholder participation and transparency, with particular emphasis on the draft relating to the review pursuant to article 154 of the United Nations Convention on the Law of the Sea, to explore ideas for moving forward and share thoughts on the next steps for various stakeholders.

RESOLVE looks forward to the opportunity to contribute to the work of the Authority and States parties and respectfully requests that its application to be granted observer status in the International Seabed Authority be considered at the next session of the Authority, in July 2016.

RESOLVE would like to nominate Paul De Morgan, Senior Mediator, as the representative for RESOLVE to that meeting.

(Signed) **Stephen D’Esposito**
President of RESOLVE

Annex II

International Seabed Authority observer status request

Name of organization

RESOLVE

Address of office

RESOLVE
1255 23rd Street NW, Suite 275
Washington, D.C. 20037
United States of America

Name and address of proposed primary representatives

Paul De Morgan
Senior Mediator, RESOLVE
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Stephen D'Esposito
President, RESOLVE
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Mission of RESOLVE

The mission of RESOLVE is to build strong, enduring solutions to environmental, social and health challenges through collaboration. RESOLVE is an independent organization.

History

RESOLVE is a non-profit organization with nearly 40 years and over 2,000 projects or cases of experience providing neutral design, facilitation and consensus-building services. RESOLVE currently has 15 full-time employees providing world class neutral facilitation, mediation, research, evaluation, situational assessment, process design, project management, outreach, stakeholder engagement and capacity-building services.

The RESOLVE team works closely with community, business, government, environmental and social leaders to secure results and build lasting relationships through collaboration. RESOLVE has significant experience in facilitating and supporting projects to improve health care, air and water quality, ecosystem management, complex energy problems, sustainable development and natural resource conflicts. RESOLVE specializes in designing and facilitating complex dialogues between stakeholder groups with diverse, competing or potentially conflicting interests.

RESOLVE maintains a world class standard for best practices in providing services to our partners, clients and project participants. Our organizational culture encourages learning and capacity-building with clients and emulates these practices internally. As a result of our organizational approach, RESOLVE staff members have earned an outstanding reputation for objectivity and credibility with a range of

public and private sector stakeholders. We are experts without being invested in a particular outcome.

Recent activities

Deep seabed mining dialogue activities (May 2015-present)

RESOLVE has convened multi-stakeholder efforts to explore deep seabed mining issues related to transparency and best payment regime practices to inform the design of an exploitation code by the Authority. The effort was initiated with the conference on deep seabed mining, held in Italy in October 2015, where stakeholders began to create a shared understanding of the environmental, social and economic issues, risks and benefits associated with deep seabed mining. Building on the conference, RESOLVE is assisting with convening and facilitating payment regime workshops and transparency/public participation workshops in 2016.

Solutions for Hope programme (2014-present)

RESOLVE serves as secretariat for the Solutions for Hope programme, which seeks to develop tools to enable and promote the responsible sourcing of minerals from conflict-affected and post-conflict regions, including the Democratic Republic of the Congo and Colombia. Current participants and advisors include companies throughout the supply chain (end users, component manufacturers, smelters and refiners), artisanal mining cooperatives and civil society and government stakeholders. For more information, please see <http://solutions-network.org/site-solutionsforhope/>.

Public-Private Alliance for Responsible Minerals Trade (2013-present)

RESOLVE serves as secretariat for this initiative between governments, companies and civil society to support supply chain solutions to challenges with regard to conflict minerals in the Democratic Republic of the Congo and the Great Lakes Region of Central Africa. RESOLVE provides facilitation services, project management and grant administration for the governance committee, working groups and the Alliance fund, which has raised over \$1.2 million to support on-the-ground projects in the Great Lakes Region. The Alliance was launched as a joint effort with the United States Department of State, the United States Agency for International Development and global companies, industry organizations and civil society. For more information, please see www.resolv.org/site-ppa.

Free, Prior, and Informed Consent Solutions Dialogue (2013-present)

The Free, Prior, and Informed Consent Solutions Dialogue (see <http://solutions-network.org/site-fpic>) is a multi-sector collaborative project developing and testing tools and resources to support the development of robust company-community agreements surrounding industrial natural resource development. RESOLVE is acting as secretariat for the Dialogue, supporting the identification and guidance for communities, companies and non-governmental organizations seeking to understand the principles of free, prior, and informed consent, policies that support its implementation and best practices that support positive company-community relationships.

Newmont Mining (2009-2013)

RESOLVE designed and delivered a multi-level training curriculum on conflict resolution and stakeholder engagement for Newmont Mining employees and neighbouring residents in Ghana, Australia, New Zealand, Indonesia and the United States. The curriculum included presentations, workbooks and exercises for employees with varying degrees of contact with communities. RESOLVE also designed a “train the trainers” programme and materials to facilitate ongoing training by local consultants.

Descriptive statement of the extent to which the purposes of RESOLVE relate to those of the International Seabed Authority, including, in particular, the contributions that can be made to the progress of the Authority

Through our work on numerous collaborative projects and resource management initiatives, the RESOLVE team has developed processes and tools for effectively facilitating collaboration around complex resource management processes. Over the past two years, RESOLVE has worked with a wide range of stakeholders, including Authority staff, contractors, governmental organizations, environmental organizations and the World Economic Forum, to explore issues related to environmental, social and economic issues, risks and benefits associated with deep seabed mining.

Our work convening organizations interested and involved in the development of the exploitation code, in particular the payment regime and stakeholder participation and transparency, will provide information and ideas for the Authority and its associated entities, such as the Legal and Technical Commission, to consider in their development efforts.
