

International Seabed Authority
Informal Working Group on Institutional Matters
Proposal for an intersessional Workshop

Session 1: Legal aspects to determine Effective Control

1.1 Legal interpretation of the term “effective control” and implications for the ISA’s regime (20 min)

Proposed speaker: Freedom-Kai Phillips (co-author of a paper published by the ISA “Effective Control and Seabed Mining: Towards a definition”)

1.2 What criteria could be used to determine “effective control”? (20 min)(discussions of pros and cons)

Speaker TBD

Q & A (20 min)

Session 2: Practical implications of Effective Control

1. When and why will the relationship of effective control become significant? (20 min) (Addressing various elements of Effective Control)-

Speaker TBD

- 1.
2. Member State perspective: Lessons learnt from sponsoring states with non-State contractors (20 min) (Belgium, UK, Germany, Nauru ?)

Speaker TBD

Q & A (20 min)

Session 3: Implications in the regulatory framework

3.1 Link between effective control, sponsoring state obligations (direct y due diligence), and liability(20 min)

Speaker TBD

3.2 Should there be guidelines/standards for the application of effective control in the Exploitation Regulations and/or in other parts of the regulatory framework?^[1] (20 min)

Speaker TBD

3.3 Towards a definition of Effective Control for the regulatory framework (20 min)

Speaker TBD

Q & A (20 min)

Discussion by delegations on next steps
