



**MINISTERIO
DE RELACIONES
EXTERIORES**



UN-OHRLS

Workshop on the Participation of LLDCs in the Regime of the Area and the Benefit-Sharing Mechanism under UNCLOS



13 - 15 October 2026



**Santa Cruz de la Sierra,
Plurinational State of Bolivia**





7. Article 82 of UNCLOS: payments, distribution and implications for LLDCs

Lessons from the ISA international workshop and elements of a model agreement

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From legal obligation to operational implementation



Article 82 | Implementation

Legal obligation

What UNCLOS requires and what needs clarification.

Implementation arrangements

How production, reporting, calculation and transfer are managed.

Equitable distribution

How contributions are allocated under agreed criteria.

This intervention focuses on the arrangements linking the obligation to ISA receipt.



ISA preparatory work: from analysis to proposals



ISA preparatory work: from analysis to proposals

- **2009 expert seminar and Technical Studies Nos. 4 and 5: legal, policy and resource questions.**
- **2012 Beijing workshop: practical guidance, model agreement and equitable sharing.**
- **Technical Study No. 12: findings and proposals arising from the workshop.**
- **Technical Study No. 15: analysis of key Article 82 terms and interpretative questions.**

Technical studies and workshop proposals are not equivalent to adopted ISA rules.



From the Beijing workshop to implementation arrangements



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- **Implementation guidelines:** clarify reporting, calculation and payment procedures.
- **Model agreement:** organize cooperation between ISA and contributing coastal States.
- **Administrative arrangements:** address receipt, accounting and verification needs.
- **Equitable sharing:** consider options for distributing collected contributions.





From production to receipt: an implementation chain

01 Identify

Qualifying site and resource

02 Document

Start date; volumes; values

03 Calculate

Applicable annual contribution

04 Verify

Records and reconciliation

05 Transfer

Cash or contribution in kind

06 Receive

ISA records and accounts



The coastal State–ISA operational interface

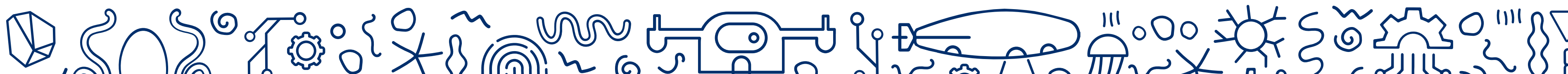
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Coastal State: operational inputs

- Notify the production site and start date
- Supply production records and valuation data
- Document the applicable contribution
- Arrange remittance and supporting reports

ISA: operational arrangements

- Identify contact and reporting channels
- Receive data and seek clarifications
- Acknowledge transfers and reconcile records
- Account for contributions and ensure follow-up





Why a model Article 82 agreement?

Why a model Article 82 agreement?

Common Structure

A shared framework for cooperation between ISA and a contributing coastal State.

Practical Certainty

Clear notification, reporting, transfer and reconciliation arrangements.

Flexible Application

Can accommodate different domestic legal systems without changing UNCLOS obligations.

The workshop explored a model agreement; it is not an instrument currently in force.



Model Article 82 agreement: proposed operational architecture

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01 Establishing the relationship

Scope, parties, definitions and contact points

02 Documenting the obligation

Notification, records, valuation and calculation

03 Executing the contribution

Payment, in-kind arrangements and reconciliation

04 Accountability and continuity

Confidentiality, consultation, review and disputes



A practical example: from production to payment

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Qualifying production

Hypothetical offshore site beyond 200 nautical miles. Annual production value: US\$100 million.

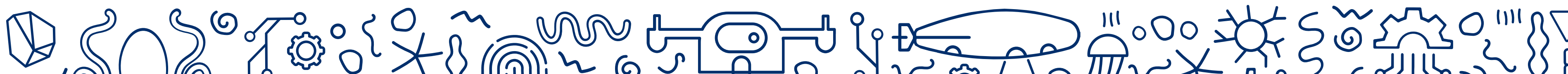
Sixth production year

Assumed Article 82 rate: 1% of qualifying production value. No applicable exemption.

Illustrative payment

US\$1 million transferred through agreed procedures; ISA receives and records the contribution.

Illustration only — not an actual project or an adopted valuation methodology.





Article 82: opportunities for LLDC engagement

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Follow ISA processes

Participate through the Assembly and other relevant forums; track implementation and sharing discussions.

Contribute perspectives

Identify LLDC interests and needs relevant to transparent, equitable sharing criteria.

Build capacity and coordinate

Understand financial mechanisms; exchange positions and contribute to informed ISA deliberations.



From technical preparation to operational readiness

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- Consolidate earlier studies and identify matters requiring institutional decisions.
- Refine model agreement, reporting templates and payment procedures.
- Engage potentially contributing coastal States to test practical feasibility.
- Identify proportionate ISA receipt, accounting and transparency needs.
- Coordinate collection arrangements with future equitable distribution decisions.

Outcome: a predictable, transparent and workable Article 82 mechanism.





Thank you

