



## Lesson 4 – The Mining Code

### Principal instruments

1. *The Law of the Sea: Compendium of Basic Documents*. International Seabed Authority and Caribbean Law Publishing Co.: Kingston (2001), available at <http://www.isa.org.jm/files/documents/EN/Pubs/LOS/index.html>.
2. *Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982*, concluded in New York on 28 July 1994, 1836 U.N.T.S. 3.
3. *United Nations Convention on the Law of the Sea*, concluded in Montego Bay on 10 December 1982, 1833 U.N.T.S. 397, Annex III: Basic conditions of prospecting, exploration and exploitation (Consolidated version). (Relevant sections of Convention are referenced in lecture notes.)

### Required Reading

1. International Seabed Authority, *Procedures and criteria for the extension of an approved plan of work for exploration pursuant to section 1, paragraph 9, of the annex to the Agreement relating to the Implementation of Part XI of the United Nations Convention on the Law of the Sea of 10 December 1982*. 14 January 2015. ISBA/21/C/WP.1 available at < [https://isa.org.jm/files/files/documents/isba-21ltc-wp1\\_1.pdf](https://isa.org.jm/files/files/documents/isba-21ltc-wp1_1.pdf) >.
2. International Seabed Authority, *Recommendations for the guidance of contractors for the assessment of the possible environmental impacts arising from exploration for marine minerals in the Area*. 30 March 2020 and 11 June 2020. ISBA/25/LTC/6/Rev.1 and Corr.1 available at < [https://isa.org.jm/files/files/documents/26ltc-6-rev1-en\\_0.pdf](https://isa.org.jm/files/files/documents/26ltc-6-rev1-en_0.pdf) [https://isa.org.jm/files/files/documents/ISBA\\_25\\_LTC\\_6\\_Rev.1\\_Corr.1-2007786E.pdf](https://isa.org.jm/files/files/documents/ISBA_25_LTC_6_Rev.1_Corr.1-2007786E.pdf) >.
3. International Seabed Authority, *Recommendations for the guidance of contractors on the relinquishment of areas under the exploration contracts for polymetallic sulphides or cobalt-rich ferromanganese crusts*. 23 July 2019. ISBA/25/LTC/8 available at < [https://isa.org.jm/files/files/documents/isba\\_25\\_ltc\\_8-e.pdf](https://isa.org.jm/files/files/documents/isba_25_ltc_8-e.pdf) >.
4. International Seabed Authority, *Regulations on prospecting and exploration for polymetallic sulphides in the Area*. 7 May 2010. ISBA/16/A/12/Rev.1 available at < <http://www.isa.org.jm/files/documents/EN/Regs/PolymetallicSulphides.pdf> >.
5. International Seabed Authority, *Regulations on Prospecting and Exploration for Cobalt-rich Ferromanganese Crusts in the Area*. 27 July 2012. ISBA/18/A/11 available at < <http://www.isa.org.jm/files/documents/EN/18Sess/Assembly/ISBA-18A-11.pdf> >.
6. International Seabed Authority, *Regulations on Prospecting and Exploration for Polymetallic Nodules in the Area*. 22 July 2013. ISBA/19/C/17 available at < <http://www.isa.org.jm/files/documents/EN/19Sess/Council/ISBA-19C-17.pdf> >.
7. International Tribunal for the Law of the Sea, Seabed Disputes Chamber, *Responsibilities and Obligations of States Sponsoring Persons and Entities with respect to Activities in the Area*, Advisory Opinion, ITLOS Reports 2011, p. 10, 1 February 2011. (see paragraphs 82-96 on **Activities in the Area**).



## Optional Reading

1. M W Lodge, 'The International Seabed Authority and the Exploration and Exploitation of the Deep Seabed', *Revue Belge de Droit International* 47 (1) (2014) 129 – 136.
2. M W Lodge, S Kathleen, S Dale, 'Sharing and Preserving the Resources in the Deep Sea: Challenges for the International Seabed Authority', *International Journal of Marine and Coastal Law* 32 (3) (2017) 427 – 457.
3. T Scovazzi, 'The Exploitation of Resources of the Deep Seabed and the Protection of the Environment', *German Yearbook of International Law* (57) 2014 181 – 207.
4. R R Churchill, A W Lowe. *The law of the sea*. Manchester University Press: Manchester (1999, 3<sup>rd</sup> ed.) 223 – 254.
5. Y Tanaka, *The International Law of the Sea*. Cambridge University Press: Cambridge (2019, 3<sup>rd</sup> ed.) 214 – 233.