



INTERNATIONAL WORKSHOP ON CAPACITY DEVELOPMENT, RESOURCES & NEEDS ASSESSMENT

10-12 February 2020
-Kingston, Jamaica-

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SUMMARY OF WORKSHOP OUTCOMES 12 February 2020

1. Background and rationale

1. The entry into force of the United Nations Convention on the Law of the Sea (UNCLOS) twenty-five years ago, has created the enabling conditions for the operationalization of the regime of the international seabed area (the Area). Through it, the international community decided that at least one part of the global commons, the mineral resources of the deep-seabed and subsoil thereof, should be managed for the benefit of all humanity. It is to achieve this objective that the International Seabed Authority (ISA) has been established and entrusted with specific responsibilities. Its core mandate is to regulate and manage access and use of deep-seabed mineral resources whilst ensuring the protection of the marine environment. It is also mandated to ensure the equitable sharing of benefits derived from the conduct of activities in the Area, to all humanity including through the development of specific programmes aimed at strengthening the capacities of developing States and technology less developed States.

2. The ISA Strategic Plan for 2019-2023¹ explicitly recognises the duty of ISA to ensure that a variety of capacity-building mechanisms are implemented for developing States. Such mechanisms should not only aim at facilitating the transfer of technology to developing States² but also ensuring the expansion of opportunities for participation in activities in the Area³. In light of this, member States of ISA have identified that the challenge for the organization is to identify mechanisms, including capacity-building programmes, to ensure fully integrated participation by developing States in activities in the Area at all levels. Strategic Direction 5 (*Build capacity for developing States*) and Strategic Direction 6 (*Ensure integrated participation by developing States*) aim at concretizing this objective.

3. As indicated in the High-Level Action Plan relating to the implementation of the ISA Strategic Plan for 2019-2023 adopted by the Assembly in August 2019⁴, specific actions need to be undertaken by the ISA Secretariat by 2020. One of particular importance is to “*assist developing States, in particular geographically disadvantaged States, small island developing States, least developed countries and landlocked developing countries, in identifying their needs*” (high-level action 5.1.1).

4. It is to deliver against this important item that the ISA Secretariat organized the workshop on “**Capacity development, resources and needs assessment**” that was held in Kingston, Jamaica, from 10 to 12 February 2020.

¹ See ISBA/24/A/10.

² See UNCLOS, art.144, 273 and 274

³ See UNCLOS, art.148.

⁴ See ISBA/25/A/15.

5. The workshop was facilitated by H.E Mathu Joyini, Deputy Director General of Training, Research and Development (DIRCO) of the Republic of South Africa and was attended by official representatives from Members of ISA (Algeria, Argentina, Brazil, Chile, China, Cook Islands, Costa Rica, Ecuador, Egypt, European Union, Ghana, Guatemala, Indonesia, Jamaica, Korea, Mexico, Myanmar, Nauru, Nigeria, Sierra Leone, South Africa, Tonga, Trinidad & Tobago and Uganda) and experts from international and regional organizations (African Union, Commonwealth Secretariat, IOC-UNESCO, National Deep Sea Centre (JTRC), National Oceanography Centre UK, UNDESA, UNEP, UNESCO, UNICEF, UN-OHRLS, Technology Bank for LDCs, World Maritime University) as well as observers of ISA (Ethiopia, Durham University's Centre for Borders Research, Interridge, the Pew Charitable Trust), contractors (COMRA, DORD, BGR, GSR, JOGMEC, NORI, TOML, UKSRL) and national experts (Ghana, India, Kiribati and Togo).

6. The workshop on "**Capacity development, resources and needs assessment**" provided an opportunity for participants to exchange and discuss on a series of issues associated with the implementation by ISA, of different capacity-building programmes and initiatives. The workshop also contributed to:

1) Clarifying the nature and objectives of capacity-building and technical assistance provided by ISA in the context of Part XI of UNCLOS;

2) Discussing the key findings of the draft assessment undertaken by the Secretariat on:

- (a) the current capacity-building initiatives & programmes implemented by ISA in order to understand how to improve their effectiveness and impact;
- (b) the resources available to ISA to address such needs.

3) Identifying the core elements for the design and development of a dedicated strategy for capacity-building and capacity development activities that will measurably contribute to increase capacities of ISA member States in specific area(s) identified.

2. Summary of the discussions

7. Each session of the workshop aimed at examining the key findings of the draft assessment report prepared by ISA Secretariat with a view of assessing the impact and effectiveness of the capacity-building programmes and initiatives implemented by ISA. In each session, particular attention was also given to discuss the challenges identified as well as exploring potential solutions.

Session I: Key findings of the assessment of the capacity-building programmes and initiatives implemented by ISA

8. This first session was intended to provide participants with a common understanding of the objectives of the workshop as well as providing an overview of the key findings of the draft assessment report prepared by the Secretariat.

9. H.E Mathu Joyini, Director of the Diplomatic Training and Support (DIRCO) of the Republic of South Africa and also workshop facilitator, highlighted the objectives and expected outcomes of the workshop. This presentation was then followed by a presentation delivered by Dr. Marie Bourrel-Mckinnon who provided an overview of the legal and strategic framework within which ISA operates when developing and implementing capacity-building programmes and initiatives.

10. Participants agreed on the importance for ISA to maintain its efforts in organizing sensitization seminars and disseminating information on the results of capacity development activities implemented by ISA.

Session II: Key findings of the assessment of the Contractor Training Programme

11. This second session was chaired by Mr. Corey McLachlan, Head of Stakeholder Engagement at NORI. Mr Chapi Mwangi, Chief of the Contract Management Unit at ISA, acted as rapporteur. The theme of this session was “*Key findings of the assessment of the contractor training programme*”.

12. The session started with a presentation delivered by Mr Chapi Mwangi focusing on the “*key findings of the draft assessment report prepared by the Secretariat on the Contractor Training Programme*” which was followed by a presentation from Mr John Parianos, Manager Exploration and Polymetallic Nodules at TOML providing some “*Perspectives on capacity-building*”. Mr Francois Charlet, Exploration Manager and Marine Geologist at GSR delivered a third presentation on the “*Assessment of the GSR training programme*” which was followed by a presentation delivered by Mr Jun Jiang, Deputy-Permanent Representative of China to ISA on behalf of COMRA, on the “*Assessment of the COMRA training programmes*”. Two additional presentations were also delivered by two former trainees of the training programme of JOGMEC. The first one was delivered by Ms Judith Owusu, Geochemist at the Ghana National Petroleum Corporation and the second one was delivered by Mr Hank Hedge, Geologist at the Ministry of Transport and Mining of Jamaica.

13. Participants considered the recommendations listed in the draft assessment report prepared by the Secretariat with the following suggestions:

- In recommendation 4, suggestion was made that the LTC “should” (and not only “could”) “take into account the list of priority needs identified by developing States and regularly updated by ISA, when making its recommendations”.
- That consideration be given to expanding the Contractor Training Programme in the exploitation phase.

Session III: Key findings of the assessment Endowment Fund for Marine Scientific Research

14. Session III was chaired by Mr. Alan Evans, Head of the International and Strategic Partnerships Office of the National Oceanography Centre with the support of Mr Gulardi Nurbintoro, Foreign Service Officer from the Directorate for Legal Affairs and Territorial Treaties at the Ministry of Foreign Affairs of Indonesia. The theme considered under this session was “*Key findings of the assessment of the Endowment Fund for Marine Scientific Research in the Area*”.

15. Two presentations were delivered. One, by Mr Tearinaki Tanielu, consultant with ISA on the “*Key findings of the draft assessment report*” and another one, by Mr Jérôme Dymont, Senior Researcher at the Institut de Physique du Globe de Paris and CNRS on “*Capacity building/development and academic research: an experience through interRidge and beyond*”.

16. This session led to detailed discussion on (i) the need for the EFMSR to take into consideration the needs of developing States members of ISA; (ii) attracting potential donors including by exploring the possibility for contractors who have not been able to select a trainee to be allowed to reallocate the unused fund for training to the EFMSR; (iii) the difficulty in attracting interest from potential donors due to the limitations imposed on the use of the EFMSR and ; (iv) the issue of reallocation of the unspent interest of the EFMSR to support activities or requests independent from the objectives assigned to the EFMSR.

17. Participants expressed some concerns that the current restrictions imposed for the disbursement of EFMSR (i.e. only interest on the capital can be used), prevented ISA to fulfil its obligations under UNCLOS while, at the same time, discourage potential donors from contributing to the EFMSR. In line with this, participants agreed that the development of a more programmatic approach by ISA could effectively increase the impact of the EFMSR by ensuring that the use of the available funding could meet the priority needs identified by developing States members of ISA.

18. Participants considered the recommendations listed in the draft assessment report prepared by the Secretariat.

Session IV: Key findings of the assessment of the Internship Programme

19. This session was chaired by Ms Alex Herman, Seabed Minerals Commissioner of the Cook Islands. Mr Antonio Cruz-Diaz, Alternate Representative of Mexico to ISA acted as rapporteur. The theme of this session was “*Key findings of the assessment of the Internship Programme*”.

20. A presentation was delivered by Ms Kayon Wray, on the “*Key findings of the draft assessment report prepared by the ISA Secretariat*” which was followed by a presentation from Mrs Ximena Hinrichs-Oyarce, Registrar at the International Tribunal for the Law of the Sea (ITLOS) on the different capacity-building schemes implemented by ITLOS. Ms Jessica Howley, provided an overview of the “*Capacity-building and fellowship programmes*” implemented by the Division for Ocean Affairs and the Law of the Sea (DOALOS) of the Office of Legal Affairs of the United Nations. The last presentation was delivered by Mr David Garzón Pico, Surveyor at the Oceanographic Institute of the Ecuadorian Navy and focused on benefits gained from his internship within the ISA Secretariat in 2017.

21. Former interns noted that such experience has proven to be very valuable. Several elements of the presentations were discussed by the participants including in relation to the importance for ISA to explore options to: (i) increase outreach and dissemination of internship opportunities through social media, (ii) secure financial contributions to ensure that all interns from developing States are provided with stipends and, (iii) to develop, with other institutions, including those used by the Nippon Foundation Fellowship Programme, a specific internship module.

22. Participants considered the recommendations listed in the draft assessment report prepared by the Secretariat.

Session V: Towards a more programmatic approach to enable ISA to deliver capacity development activities

23. Session V was chaired by H.E Carlos den Hartog, Permanent Representative of Brazil to ISA who was supported by Mr Tearinaki Tanielu, Consultant of ISA.

24. The first presentation was delivered by the Secretary-General of ISA, Mr Michael W. Lodge, and focused on “*ISA’s programmatic approach: context and suggested way forward*”. Mr Sai Navoti, Chief of SIDS Unit at UNDESA presented the objectives and preliminary results of the Abyssal Initiative project implemented in partnership by UNDESA and ISA. A third presentation was provided by Mr Paul Msoma, Acting director of the Africa Mineral Development Centre and Dr Marie Bourrel-McKinnon, Senior Policy Officer at ISA on the Africa Deep Seabed Resources (ADSR) project implemented jointly by ISA, the African Union and NORAD.

25. Several elements were further discussed during the break-out group particularly in relation to the need for ISA to : (i) develop strong programmatic approach for capacity development, (ii) strengthen the staff of the Secretariat to deliver against this programmatic approach and mobilize resources; and (iii) foster strategic partnerships.

Session VI: The potential contribution of regional centres to the achievement of SDG14

26. This section was chaired by Mr. Nyan Lin Aung, Counsellor from the Permanent Mission of Myanmar to the United Nations in New York. Mr Ulrich Schwarz-Schampera, Head of Section Ore Deposit Geology and Analytical Fingerprint with BGR acted as rapporteur.

27. After the Chair had provided an overview of articles 275 and 276 of UNCLOS which highlight the importance of the establishment of marine scientific centres and transfer of technology, particularly to developing countries, Mrs. Jihyun Lee, Director of the Office of Environment Management and Mineral Resources of the ISA Secretariat delivered a presentation on the “*Context, development and future prospects of the ISA-China Joint Training and Research Centre*”.

28. A video presentation about JTRC was also made by Mr. Jun Jiang, Deputy Permanent Representative of China to ISA.

29. This session was followed by an interactive break-out group discussion that was facilitated by Mr. Nyan Lin. Participants made the following recommendations:

- Consideration should be given by ISA to form strategic partnerships with existing national and regional institutions to create platforms to strengthen international cooperation for capacity building/development and transfer of marine science technology instead of establishing new regional centres in each region.
- Consideration should be given by ISA to explore opportunities to ensure sustainable funding for the functioning of regional centres including by exploring necessary arrangements for co-funding with respective regional institutions.
- Consideration should be given to establish online training platform that would enable the sharing of information and the outcomes of marine scientific research cruises or programmes.
- Consideration should be given to establish an ISA audio-visual library through which it will be possible to sensitize on the role and functions of ISA as well as critical issues under discussion by the Council and the Assembly.

Session VII: Assessment of capacity needs and priorities

30. Session VII took place in two segments. One, from 4.00pm to 5.00pm on Tuesday 11 February 2020 and the other, on Wednesday 12 February from 9:00am to 9:45 am. It considered the theme “*Assessment of capacity needs and priorities*”. The session was chaired by Ambassador Duncan Laki, Legal Adviser at the Permanent Mission of Uganda to the United Nations; Mr. Sai S. Navoti, Chief, SIDS Unit, UN-DESA was the Rapporteur.

31. The first presentation was made by H.E. Ms. Fekita ‘Utoikamanu, High Representative for the Least Developed Countries (LDCs), Landlocked Developing Countries (LLDCs) and Small Island Developing States (SIDS) who spoke on the “*Importance of capacity- building for LDCs, LLDCs, and SIDS in the context of the 2030 Agenda and other high-level frameworks*”. The second presentation, a case study entitled: “*Overview of the Technology Bank for LDCs*” was presented by Mr. Joshua Setipa, Director of the United Nations Technology Bank (UN-TB). Dr. Marie Bourrel-McKinnon, Senior Policy Officer & Special Assistant to the Secretary-General of ISA, presented the third presentation in Session VII. She spoke on the theme: “*Identification of capacity development needs and priorities by developing States – What methodology?*”. The fourth and final presentation of the first segment of this session was a case study entitled: “*Overview of the potential future capacity needs in deep sea research related to the protection of marine environment*”. This comprehensive brief was delivered by Dr. Luciano Genio, Environmental Analyst, ISA.

32. The second segment of this session started with a presentation by Professor Ronan Long, Director at the WMU-Sasakawa Global Ocean Institute of the World Maritime University and focused on the activities undertaken by this organization to “*Enhance the role of women in marine scientific research*”. This was followed and complemented by a presentation delivered by Dr Marie Bourrel-McKinnon, Senior Policy Officer at ISA, which aimed at detailing further the engagement of ISA in “*Enhancing the participation of women in deep sea research*”.

33. Participants acknowledged the work undertaken by the Secretariat to increase the participation of women in marine scientific research and gender parity; and suggested to strengthen measures to increase the participation of women in capacity building opportunities, including by implementing specific outreach activities.

34. Following discussions held during the interactive break-out group session chaired by H.E Laki which specifically focused on the *“Special needs of SIDS, LDCs and LLDCs”*, participants made several suggestions including the possibility for the Secretariat to develop a matrix or a data bank containing (i) information supplied by member States and other stakeholders stipulating or listing the capacity priorities and needs of SIDS, LDCs and LLDCs; and (ii) information regarding existing institutions, frameworks, and all mechanisms currently available to be accessed by developing countries including the UN Technology Bank for LDCs.

Session VIII: Building strategic partnerships in support of ISA’s capacity development programmes and initiatives

35. This session was chaired by H.E Gina Guillen-Grillo, Permanent Representative of Costa Rica to ISA. Mr Paul Msoma, Interim Director of the Africa Minerals Development Centre of the Africa Union acted as rapporteur.

36. Dr Cesar Toro, of IOC-UNESCO, provided participants with a presentation highlighting the importance of *“Building synergies and opportunities through the UN Decade of Ocean Science to enhance the capacity development programme and initiatives of ISA”*. This was followed by a presentation from the Secretary-General of ISA, Mr. Michael W. Lodge, on the *“Future of capacity development and technology transfer to meet the needs of developing States”*.

37. This session was followed by an interactive break-out group discussion that was facilitated by the Chair, H.E Gina Guillen-Grillo, Permanent Representative of Costa Rica to ISA. Participants made the following recommendations:

- Consideration should be given by each Member of ISA to identify a national focal point for dissemination at the national level, of information on the capacity development opportunities to be implemented by ISA. Information on such national focal points should be updated regularly. The ISA Secretariat is invited to develop Terms of Reference on the role and responsibilities of national focal points that will be submitted for consideration by the Assembly.
- Consideration should be given by each Member of ISA to identify potential partners at national level, with which ISA could develop, in close cooperation, specific training and capacity development initiatives.
- Consideration should be given to ensure that, through a programmatic approach, sensitization seminars are undertaken by ISA in all regions to raise awareness of national and regional representatives on the role and responsibilities of ISA and how to increase engagement in the activities undertaken in the Area.
- Consideration should be given by ISA to strengthen the network for the dissemination of information on training opportunities.
- Consideration should be given to develop and share a framework for partnership with ISA.
- Consideration should be given to take into account existing initiatives and networks of other UN agencies, including the UN Technology Bank, to disseminate information on capacity development programmes and initiatives to be implemented by ISA.

3. Outcomes and way forward

38. The discussions held during the nine sessions of the workshop provided the ISA Secretariat with the relevant elements to start developing a dedicated strategy designed with the view to enable ISA, in cooperation with all relevant stakeholders, to develop and implement the necessary programmes and initiatives to meet the specific needs and priorities of developing States Members of ISA, taking into particular consideration the need for SIDS, LDCs and LLDCs.