

**Council**

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**Draft decision of the Council of the International Seabed Authority requesting an advisory opinion pursuant to Article 191 of the United Nations Convention on the Law of the Sea**

*The Council of the International Seabed Authority,*

*Having considered* the proposal submitted to it by the Republic of Nauru at the sixteenth session of the International Seabed Authority to seek an advisory opinion from the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea on matters regarding sponsoring State responsibility and liability,<sup>1</sup>

*Decides*, in accordance with Article 191 of the United Nations Convention on the Law of the Sea, to request the Seabed Disputes Chamber of the International Tribunal for the Law of the Sea, pursuant to Article 131 of the Rules of the Tribunal,<sup>2</sup> to render an advisory opinion on the following questions:

1. What are the legal responsibilities and obligations of States Parties to the Convention with respect to the sponsorship of activities in the Area in accordance with Part XI of the Convention?
2. What is the extent of liability of a State Party for any failure to comply with the provisions of Part XI of the Convention by an entity whom it has sponsored under Article 153, paragraph 2 (b), of the Convention?
3. What are the necessary and appropriate measures that a State Party must take in order to fulfil its responsibility under Article 139 and Annex III, article 4, of the Convention?

*156th Meeting  
4 May 2010*

<sup>1</sup> ISBA/16/C/6.

<sup>2</sup> ITLOS/8, 17 March 2009.

