Panel 5
Jurisdiction and Control over Activities by Non-State Entities on the High Seas

Comments by
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Art 94(2) Registration requirements

- State to exercise effective control over ships flying its flag state shall, in particular (inter alia)
  - maintain a register of ships

→ what administrative mechanisms would enable a state to exercise effective control in ABNJ over
  - installations
  - cables
  - other objects such as research equipment
Legal Status of objects other than ships

- High Seas Freedom to construct artificial islands and installations
  - Legacy.
  - We’re installations on the high seas actually foreseen at the time of UNCLOS III?
    - Vessels on the high seas: exclusive flag state jurisdiction / vessel nationality. **Vessel itself**, everyone on it and everything that occurs on the vessel is subject to the national legal system of the flag state.
    - Installations in the EEZ: UNCLOS allows coastal states to authorize and regulate the placement and operation of installations in their EEZ. **Installations are therefore only subject to relevant rules and regulations of the coastal state not its legal system.**
Registration of MSR equipment

- Argo floats
  - Markings (flag) and registration to IOC/WMO