



UN Convention on the Law of the Sea and the Maritime Jurisdiction Act

The 1982 United Nations Convention on the Law of the Sea (UNCLOS) is a comprehensive framework which provides a single legal order for the seas, covering everything from navigation and resource exploitation to marine scientific research and environmental protection. Ireland has given legal effect to its rights and obligations regarding UNCLOS through the enactment of the Maritime Jurisdiction Act 2021 which defines and gives effect to different maritime zones with specific rights and duties. These zones include internal waters, territorial sea, and exclusive economic zone.

The Maritime Jurisdiction Act 2021 provides the foundational legal scaffolding for regulating *Ascophyllum nodosum* by formally defining the geographic zones where the Irish State exercises sovereign authority. It works in tandem with the Maritime Area Planning Act 2021 as amended (MAPA) to create a modern, enforceable regulatory system managed by the Maritime Area Regulatory Authority (MARA).

The Act gives legislative effect to the UN Convention on the Law of the Sea (UNCLOS) in Irish law. By establishing the territorial sea (up to 12 nautical miles) and the Exclusive Economic Zone (EEZ), the Act defines the specific maritime area where the State has the exclusive right to explore, exploit, and manage natural resources, including wild seaweed.

While the Maritime Jurisdiction Act defines where the State has power, the MAPA specifies how that power is applied to seaweed.

Under Schedule 7 of the MAPA, the "harvesting, disturbance or removal of seaweed" is explicitly listed as an activity requiring a statutory licence.

Since July 2023, anyone proposing to harvest seaweed must apply to MARA for a Maritime Usage Licence (MUL).

The Maritime Jurisdiction Act 2021 consolidated Ireland's maritime boundaries and reaffirmed state sovereignty over the territorial sea and seabed.

The Act establishes the legal baseline from which Ireland's territorial sea and EEZ are measured. By regulating seaweed as a "sedentary species" (those immobile on or under the seabed at the harvestable stage), the State asserts its right to manage *ascophyllum nodosum* within these defined zones.

The Act works alongside the Maritime Area Planning Act 2021 as amended (MAPA) which specifies in Schedule 7 that the harvesting or removal of seaweed requires a Maritime Usage Licence (MUL) from MARA which was established under MAPA to regulate the Marine area. This ensures that the commercial activity of harvesting seaweed as proposed in this application is brought under a unified, modern statutory regime.



Attachment 4.8

The harvesting of *Ascophyllum nodosum* (knotted wrack) in Ireland as provided for in the Maritime Area Planning Act 2021 as amended (MAPA) is aligned with international and national law through a framework that balances sovereign resource rights with environmental protection.

Under UNCLOS Ireland exercises sovereign rights over its maritime zones for the purpose of exploring, exploiting, conserving, and managing natural resources.

UNCLOS Article 56 grants coastal states jurisdiction over the protection and preservation of the marine environment in their Exclusive Economic Zone (EEZ). Ireland fulfills this by requiring harvesters to obtain a Maritime Usage Licence (MUL) from the Maritime Area Regulatory Authority (MARA), ensuring the harvest does not deplete the resource.

UNCLOS Part XII mandates the protection of the marine environment. Arramara propose to use harvest methodology and quotas that have been used for several decades and have been studied extensively in many countries (see Appendix A “Literature review of commercial harvesting of *Ascophyllum nodosum*” in the submitted SISAA report – Attachment 4.3). Furthermore, Attachment 4.3 provides an in-depth assessment of potential impact of the proposed harvesting activities on conservation sites within the zone of influence of the MUL. Attachment 4.4 provides an evaluation of potential impact of the proposed harvesting activities on Annex IV species. Any likely risk discovered during MARA’s assessment of this proposal will be mitigated as part of the Natura Impact Statement later provided. Attachment 4.10 provides a detailed description of species present within the MUL and an analysis of the potential impact of the proposed harvesting operations. When a risk is identified, mitigation measures are proposed.

As such, Arramara Teo’s proposal for the harvest of *Ascophyllum* in the intertidal zone is consistent with the obligations to conserve living resource and ensure an sustainable exploitation.

The proposed activities will not interfere in any ways with innocent passage as they are conducted in inland coastal waters and the nature of the activities are unlikely to cause any risk of pollution.

The framework provides MARA with robust powers to ensure harvesting is sustainable and legal. MARA has the authority to investigate alleged unauthorized harvesting and ensure compliance with environmental safeguards. Licenses to be granted by MARA under this framework will mandate a code of practice to ensure the sustainability of the seaweed resource.