



## **SADC SEMINAR ON THE WORK OF THE INTERNATIONAL SEABED AUTHORITY**

*Pretoria, South Africa  
17 – 19 March, 2015*

**Opening Remarks  
by Michael W. Lodge, Deputy to the Secretary-General and Legal Counsel,  
International Seabed Authority**

Honourable Deputy Minister for Mineral Resources of the Republic of South Africa,

Your Excellency, Mathu Joyini, Permanent Representative of the Republic of South Africa to the International Seabed Authority,

Distinguished guests, dear friends and colleagues, ladies and gentlemen,

On behalf of the Secretary-General of the International Seabed Authority, I wish to express my appreciation to the Government of the Republic of South Africa for hosting this seminar and for the warm welcome you have extended to each of us.

Let me also welcome friends and guests from the SADC region.

This is the ninth sensitization seminar to be convened by the International Seabed Authority in different countries around the world, and the second to be held on the continent of Africa. The first took place in Abuja, Nigeria in 2008, so a second is long overdue.

Over the years, these seminars have become an important means of outreach for the Authority. As the name suggests, the primary purpose of the seminar is to inform the countries of the region and the various ministries and departments in the host country of the work of the Authority and other related international institutions, the latest developments in deep seabed mining and other topics of relevance.

To do this, we bring with us a selection of subject-matter experts from within the Secretariat, as well as world-renowned scientific and technical experts to speak on topics ranging from marine geology to the deep ocean environment. We have also sought to make the seminar relevant to the circumstances of the region by including some presentations on regional issues.

The Law of the Sea Convention was adopted in 1982 and entered into force in 1994. That means the Authority has been in existence for a little over 20 years. During that time tremendous progress has been made towards developing the mineral resources of the deep seabed and in realizing the vision of the common heritage of mankind that lies at the heart



of the Convention regime. We now have 167 member States, including 47 African States and all of the SADC member States.

African participation in and commitment to the law of the sea however goes back a good deal further. I would like to recall, for example, the Declaration of the Organization of African Unity on Issues of the Law of the Sea issued as far back as 1974, in which the African States particularly reaffirmed their belief in the principle of the common heritage, including the need to distribute equitably among all developing countries the proceeds from any financial levies imposed on deep seabed mining, to protect the marine environment, and in this way to give full meaning to the concept of the common heritage of mankind.

By referring to the 1974 Declaration, I wish to share my pleasure to see the beliefs of the African States have turned into reality. Tribute should be paid to those far-sighted predecessors who attended the long negotiations for the Convention, as well as the early days of the establishment of the Authority.

At the same time, however, I need to express my deep concern over the lack of participation by African States in recent years.

It is worrying to see that, among all the 26 deep sea exploration contracts approved by the Authority, 14 of them are with contractors sponsored by Asian and Pacific States, 7 with contractors sponsored by Western European States, 4 with contractors sponsored by Eastern European States and 1 by the Group of Latin American and Caribbean States. No exploration contract has been issued to a contractor sponsored by an African State. No application sponsored by an African States has yet been received.

This is not how it should be.

It is equally regrettable to see very low attendance by the African States at the annual sessions of the Authority. With the exception of active participation by delegations from South Africa, Cameroon, Namibia, Senegal and Uganda and a few other countries, most African countries fail to even show up at the annual session of the Authority.

How can African States safeguard their hard-won interests in these circumstances? The problem is particularly acute at this time as the Authority has entered into the crucial task of preparing the rules and regulations for future exploitation of deep sea minerals. The successful completion of the exploitation code could not be done without the effective participation of the African countries.



It seems to me there are at least four kinds of challenges facing the African countries:

- constraint of finance for the capital-intensive deep seabed mining industry;
- lack of highly sophisticated marine technology required for deep seabed research and mining;
- lack of sufficient human resources (young scientists) engaging in deep seabed research and relative decision-making, and
- lack of public awareness of the long-term significance of deep seabed mining to the social and economic development of African States.

Where there are challenges there are also opportunities. While African States should seek to engage directly in deep seabed exploration activities, the applications for exploration activities in the Area submitted by entities sponsored by P-SIDS members, the Small Islands Developing States in the Pacific area provide some possible models for participation by the African States. Strategic alliances and cooperative efforts might be another practical option. Applications might be jointly sponsored by SADC or by the African Union.

The mandatory training programmes offered by ISA contractors as well as through the ISA Endowment Fund can provide many training opportunities for young scientists or government officials to update their knowledge with the latest development in the deep-sea mining. We will learn more about this during the seminar.

Actually, the sensitization seminar today is partially designed to help raise public awareness of the work of the Authority. I am confident that the experts present for this seminar will further identify the challenges and opportunities facing the African States for their participation into the deep seabed activities.

The next few years are likely to be critical to the realization of the common heritage of mankind, particularly due to the drafting of the exploitation regulations. As Nelson Mandela once pointed out,

“Our future as human beings depends on our intelligent and prudent use of the oceans. And that in turn will depend on the determined efforts of dedicated women and men from all parts of our planet.”

It is more important than ever that all members of the Authority attend meetings and participate fully in all aspects of the work of the Authority. I encourage African States to make all possible efforts to overcome the financial and other constraints to participate in the sessions of the Authority to ensure the voices of Africa are properly heard and your interests are properly safeguarded and promoted.