

**INTERNATIONAL WORKSHOP ON FURTHER CONSIDERATION OF THE
IMPLEMENTATION OF ARTICLE 82 OF THE UNITED NATIONS CONVENTION ON THE
LAW OF THE SEA**

**Tangla Hotel, Beijing
26 November 2012**

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

Mr Jia Guide, Deputy Director General of the Department of Treaty and Law, Ministry of Foreign Affairs of China; Dr Haiwen Zhang, Deputy Director CIMA; H.E. Mr. Nii Allotey Odunton, Secretary-General of the International Seabed Authority; Distinguished participants, colleagues and friends,

1. Good morning, and welcome to Beijing for the International Workshop on Further Consideration of the Implementation of Article 82 of the United Nations Convention on the Law of the Sea, which we are pleased to convene in collaboration with China Institute for Maritime Affairs (CIMA).
2. Some of us had the pleasure of being in China for several days already, participating in the Third International Symposium on the Outer Continental Shelf and the Area. Others have just arrived over the weekend. I hope we have all had a good chance to relax and refresh, ready for the work over the next few days.
3. This workshop has been very long in the planning. We first began discussion of Article 82 in February 2009, when we convened a meeting of a small group of experts at Chatham House in London, in collaboration with the Royal Institute for International Affairs of the United Kingdom. That meeting, which was later referred to as the Chatham House Seminar, resulted in two publications, in the form of ISA technical studies, which I am sure many of you have read. These publications are also available for you today in your folders.
4. One of the recommendations of the Chatham House Seminar was to continue and broaden the discussion of the issues relating to the implementation of Article 82 by convening a further workshop involving representatives of key stakeholder groups, including members of the Legal and Technical Commission, representatives of member States, representatives of industry groups that may be affected by Article 82, technical experts and others.

5. This proposal was discussed by the Assembly of the Authority and it was agreed to include provision for a workshop in the work programme for the 2011-2013 period. Unfortunately, it was not possible to make immediate progress, mainly because the legal resources of the Authority were overwhelmed by the unexpected request by the Council to seek an Advisory Opinion from the Seabed Disputes Chamber, which meant that we were fully committed – both financially and in terms of human resources – throughout 2010 and the first half of 2011.
6. In 2011, however, during the Second International Symposium on the Continental Shelf, which took place in Hangzhou last year, a conversation took place with Judge Zhiguo Gao, Director of CIMA and a member of the ITLOS, in which we discussed the possibility of CIMA co-hosting the Article 82 workshop. Judge Gao had been one of the original participants in the Chatham House seminar, so it seemed a natural progression to move from London to Beijing to continue the discussion of Article 82 issues and to move from one prestigious research institution – Chatham House – to another.
7. We also decided to take advantage of the Third International Symposium to convene this workshop back to back with the symposium. This allowed us to take advantage of the presence in Beijing of a number of experts who were attending the Third International Symposium, and in particular a number of members of the CLCS – we are delighted to welcome you to our meeting today.
8. Unfortunately, events are not always foreseeable. Despite the long and careful forward planning, we were taken by surprise a few days ago when ITLOS received an urgent claim for prompt release, requiring all the judges to immediately return to Hamburg for a hearing tomorrow. I know that Judge Gao, as well as Judges Golitsyn, Yanai and Park, were extremely disappointed to have to cancel their participation in this workshop, but we all understand that events took over and it was unavoidable.
9. Indeed, as members of the Law of the Sea community, we may perhaps look on the positive side and celebrate the fact that the Tribunal is so busy and is being so actively used by States Parties.
10. Despite his absence, I am pleased to say that Judge Gao played a full part in the preparations for this workshop and has graciously made available the full resources of CIMA. He remains a fully committed co-host in spirit if not in person. Not least, I am delighted that he has delegated Dr Haiwen Zhang, Deputy Director of CIMA to represent him at this opening session.
11. Now I would like to give the floor to our distinguished speakers to formally open the workshop.