

**WELCOME REMARKS BY H.E. MR. NII A. ODUNTON, SECRETARY-
GENERAL OF THE INTERNATIONAL SEABED AUTHORITY**

**International Workshop on Further Consideration of the Implementation of Article
82 of the United Nations Convention on the Law of the Sea**

26-30 November 2012

Tangla Hotel, Beijing

Distinguished Mr. Jia Guide , Deputy Director-General of the Department of Treaty and Law, Ministry of Foreign Affairs, Professor Haiwen Zhang, Deputy Director of CIMA, colleagues, ladies and gentlemen,

Good morning.

I wish to extend a warm welcome to you to this International Workshop on Further Consideration of the Implementation of Article 82 of the United Nations Convention on the Law of the Sea (the Convention), which is convened by the ISA in conjunction with China Institute for Marine Affairs (CIMA) of the State Oceanic Administration of China here in Beijing.

I am very impressed and encouraged to see such a nice turn-out from about 23 member States of the ISA. As you may have noticed from the participants list, we have among us not only law professors, practicing lawyers, scientists and applied scientists from the private sector, but also senior government officials, legal advisors and diplomats, as well as current and former senior officials of International organizations including the United Nations, members of the United Nations Commission on Limits of the Continental Shelf (CLCS), a Judge of the

International Tribunal for the Law of the Sea (ITLOS), and members of the Legal and Technical Commission (LTC) of the ISA.

As part of the overall legal regime for the continental shelf established under the Convention, Article 82 is an important component of the concept of the common heritage of mankind. Whilst Article 82 is clear in terms of its purpose, its language leaves a number of important practical issues unresolved. Much further work remains to be done if the provisions are to be applied uniformly and consistently in State practice. In order to avoid potential future disputes over the interpretation and application of Article 82, it is crucial that these issues are resolved as soon as possible. Clear guidance as to how Article 82 will be implemented in future will also help to provide greater certainty to the marine minerals industry and enable it to promote more activities on the outer continental shelf (OCS).

Article 82, paragraph 4, stipulates that one of the responsibilities of the ISA under the scheme for payments and contributions with respect to the exploitation of the continental shelf beyond 200 nautical miles will be for the payments and contributions to be made through the Authority which will distribute them to States Parties to the Convention. The Authority's work on resolution of the issues associated with the implementation of Article 82 commenced with the 2009 Chatham House seminar in London. As proposed in the Secretary-General's annual report to the Assembly during the sixteenth session of the ISA in 2010, this work is now included in the Authority's work programme for the period 2011-2013. Accordingly, and as a follow-up of the Chatham House seminar, the 2012 Beijing Workshop aims at drawing up guidelines for the implementation of Article 82 and of a model agreement between the ISA and an OCS State for

receiving payments and contributions. The workshop will also consider the framework, process and criteria for the equitable distribution by the ISA of payments and contributions. The recommendations of the workshop will then form the basis for further consideration of the issues by the LTC and the Council of the ISA in 2013.

I wish to thank the Chinese Government for its firm support of the workshop, and all of you for your support by coming from all parts of the world to Beijing, and by contributing to the workshop with your expertise. I look forward to the results of your interactions during the next four and half days with confidence that the workshop will be a successful one. Once again, thank you all very much.

Thank you.