

## **Twenty-fifth Annual Session of the International Seabed Authority (Second Part): Thursday, 25 July 2019**

### **Special Commemorative Session of ISA's 25th Anniversary**

On Thursday, the Assembly of the International Seabed Authority (ISA) held the special commemorative session for its 25th Anniversary.

### **Secretary-General's Award for Excellence in Deep Sea Research**

Secretary-General Michael Lodge thanked the Jamaica Combined Cadets Force for the flag ceremony opening, and noted that 25 July is the African Day of Seas and Oceans. He introduced the second edition of the Secretary-General's Award for Excellence in Deep Sea Research, which aims to promote marine scientific research (MSR) in the Area. Secretary-General Lodge outlined the selection process and expressed gratitude to Monaco for supporting the award.

Tidiani Couma, Monaco, stressed the importance of promoting MSR, which "contributes in a crucial manner to the balance of our world." He noted the need to ensure that science is accessible to all and called for furthering our knowledge of the deep sea as a basis for defining goals. Couma reiterated Monaco's support for further sponsorship of the award.

Secretary-General Lodge announced the winner of the 2019 award, Maurício Shimabukuro, Institute of Oceanography, University of São Paulo, Brazil, and presented him with a polymetallic nodule embedded in glass. Shimabukuro accepted the award for his research, including ongoing work of benthic species in the Atacama Trench, aiming to improve management and protect deep sea ecosystems.

### **High-Level Panel on Capacity Building**

This session was moderated by Cliff Hughes, Media Personality, Jamaica. Secretary-General Lodge noted the importance of capacity building to achieve the Authority's mandate, highlighting the contractor training programme, which assists in building the capacities of developing country scientists. He drew attention to the ISA's Abyssal Initiative Project in the Pacific and the African Deep Seabed Resources (ADSR) project, which, he noted, are needs- and country-driven capacity-building projects.

Participants then watched a video on the ISA's capacity-building work.

In his address, Baron Waqa, President of Nauru, underlined UN Convention on the Law of the Sea (UNCLOS) provisions related to capacity building and the transfer of marine technology, emphasizing the consideration given to capacity building in the ISA's Strategic Plan. He noted that the Plan prioritizes capacity-building measures, reminding the Assembly that it is an instrument to promote the safe, orderly, and rational management of seabed resources, and the effective protection of the marine environment.

Jens Frølich Holte, Deputy Minister of Foreign Affairs, Norway, underscored the potential seabed mining provides for global economic development, stressing that ocean minerals will be required to meet the growing needs of the world. He pointed to his country's increased engagement in multilateral environmental agreements related to the ocean as well as its support for ocean initiatives, including the ADSR.

Carlos den Hartog, Permanent Representative of Brazil to ISA, stressed that "we live in an era where the main driving force is knowledge," highlighting the importance of capacity building. He commended the Authority for putting the framework in place for providing training opportunities under the exploration contracts and looked forward for additional opportunities under the future exploitation contracts.

Rena Lee, Ambassador for Oceans and Law of the Sea Issues and Special Envoy of the Minister for Foreign Affairs, Singapore, highlighted that her country is both a recipient and a provider of ISA-related capacity-building opportunities. Sharing national experiences, she emphasized needs' assessment and called for skills' development and a "practical, hands-on approach, since sometimes the only way to learn is to actually do."

Satyendra Prasad, Permanent Representative of Fiji to the UN, emphasized that UNCLOS demonstrates the success of multilateralism, and highlighted the need for developing countries to have the capacities to translate science and technology into policies, programmes, and concrete outcomes. He called for coherence, noting that "if parts are missing then the ecosystem does not connect and we can't get our policy framework right."

Sonali Samarasinghe, Minister, Permanent Mission of Sri Lanka to the UN, outlined national infrastructure, interests, and concerns regarding deep sea activities. She called for: a multi-stakeholder dialogue; the development of a capacity-building inventory; a registry of available funding streams; establishment of capacity-building national focal points; and the organization of livestreamed capacity-building workshops.

In the ensuing discussion, panelists responded to questions on, *inter alia*, the development and transfer of marine technology, and engagement and synergies with land-based mining. Panelists highlighted: opportunities for joint ventures; the importance of awareness raising in light of risks to multilateralism posed by populism; long-term, needs-based capacity-building programmes; provision of opportunities to scientists from landlocked countries; and development of educational children's programmes.

### **Commemorative Session of the Assembly**

Assembly President Johnson Smith noted ISA's milestone role to ensure the Authority's positive impact in people's livelihoods worldwide. Secretary-General Michael Lodge underscored the Authority's achievements, *inter alia*: fulfilling a regime envisaged by the 1994 Agreement; ensuring multilateral functions and processes; enhancing capacities for developing countries; and setting up the Deep Seabed and Ocean Database.

Andrew Michael Holness, Prime Minister of Jamaica, highlighted ISA's role in promoting scientific and technical knowledge through effective communication, facilitation, and capacity building for developing countries as well as progress in the operationalization of the Enterprise. He called for: addressing climate change impacts; increasing public awareness on seabed mining; and promoting equitable utilization of marine resources.

Jin-Hyun Paik, President of the International Tribunal for the Law of the Sea (ITLOS), drew attention to the Seabed Dispute Chamber, underscoring its contentious and advisory jurisdictions, which exist separately from that of ITLOS. He stressed that the Chamber provides to states parties, the Authority, and private and public entities efficient and expeditious procedures for the settlement of disputes that may arise from activities in the Area.

Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and Legal Counsel of the UN, celebrated the "constitution for the ocean" that contributes to peaceful cooperation and enables the ocean as "a source of prosperity for all people of the world." Underscoring that ISA had no precedent, he lauded the work of the Authority, particularly in promoting MSR.

Calling on members to recommit to the precautionary approach, Liu Zhenmin, Under-Secretary-General for the UN Department of Economic and Social Affairs, and Secretary-General for UN Oceans Conference 2020, highlighted international cooperation driven by the common heritage of humankind principle, which will carry into the next decades of "evolutionary development."

Ghana, for the AFRICAN GROUP, reiterated the continent's commitment to the preservation and protection of the ocean, and lauded capacity-building initiatives and the Authority's Strategic Plan 2019-2023. The Republic of Korea, for ASIA-PACIFIC, stressed that the Authority provides a comprehensive framework for peaceful use of oceans and MSR, and highlighted the: launch of DeepData; development of regional environmental management plans (REMPs) in the Area; and use of the precautionary approach in the development of the draft exploitation regulations.

Poland, for CENTRAL AND EASTERN EUROPE, urged the Assembly to provide assurances to contractors, investors, and the world that seabed mining can be done in an environmentally-friendly manner. Brazil, for GRULAC, called for "quality over speed, sound responsibility, and full respect of the common heritage of humankind" in the development of exploitation regulations. Germany, for WESTERN EUROPEAN AND OTHERS GROUP, lauded the ISA for expanding the knowledge base on the deep sea.

NAURU congratulated the Authority in "steering the world to an era of effective management and regulation of the ocean resources." NORWAY underscored adequate and fair benefit sharing, the precautionary principle, and transparency. JAPAN stressed the importance of incentives for contractors, capacity building for developing countries, and scientific collaboration. The PHILIPPINES called to consider the three pillars of sustainable development while developing the exploitation regulations for seabed mining. CHINA highlighted the national Law on the Exploration and Development of Resources in Deep Seabed Areas. SRI LANKA underscored ISA's efforts in MSR towards achievements of the common heritage of humankind.

CHILE expressed commitment to continue to strengthen the sustainability, efficiency, purpose, and capacity of ISA, welcoming delegates to the Climate Change Conference, in Santiago, Chile. MYANMAR invited delegates to the first capacity-building workshop in the region in September 2019.

The RUSSIAN FEDERATION acknowledged progress towards fair and equitable exploitation regulations. FIJI reiterated his commitment "to protect what we are stewards of, not owners of." TOGO supported the African Group proposal to develop a museum in Kingston Jamaica to honor Nii Allotey Odunton, former ISA Secretary-General.

ALGERIA underscored that, if not for the ISA, "the seabed would have been a new form of colonization," with the interests of a few being more important than the common good. MONACO noted

that the Authority has contributed to justice for all in safeguarding the common heritage of humankind. ITALY pointed to the ISA as a beacon of science and advanced technological development. TRINIDAD AND TOBAGO lauded the Authority for promoting women in MSR through capacity building.

COSTA RICA stressed that "there is still time to do things well," highlighting a fair mechanism for benefit sharing and the operationalization of the Enterprise. The UK highlighted UNCLOS as "one of the greatest diplomatic achievements," emphasizing the spirit of cooperation and consensus to overcome future challenges. GERMANY noted that the current draft of the exploitation regulations offers a solid basis for discussion, calling for sound REMPs. TONGA emphasized the completion of the exploitation regulations with guidelines and standards, and the establishment of regional centers.

AUSTRALIA underscored that the exploitation regulations are heading towards the right direction with hard work and sustained effort. FSM stressed that "we don't own the sea or the land, we borrow them from future generations," calling for a holistic approach addressing climate change, biodiversity loss, and ocean acidification.

ARGENTINA expressed its dedication to continue working with the Authority. NEPAL highlighted capacity building, biodiversity preservation, combating climate change, and ensuring harmony with other processes. HUNGARY underscored strengthening the legal regime to ensure conservation and sustainable ocean exploitation. NEW ZEALAND noted the duty to develop a robust mining code, ensuring protection of the marine environment. VIET NAM lauded the established framework for peaceful use of marine resources in the interest of all humankind.

CANADA highlighted the importance of building capacity for developing countries. FRANCE welcomed work on standards and expressed commitment to continue strengthening environmental standards and transparency. The NETHERLANDS said "the journey does not end here," encouraging the ISA to increase its female leadership. INDIA reiterated its commitment to be active in the move to exploitation. SOUTH AFRICA called for an appropriate fiscal framework to ensure equitable benefit-sharing. MEXICO reiterated his country's commitment to the principle of the common heritage of mankind.

### *In the Breezeways*

Thursday was an all-day commemoration of the 25-year existence of the International Seabed Authority, with speaker after speaker throughout the day highlighting the achievements of the body over the years. Many celebrated the Secretary-General, his predecessors, and the Secretariat staff for their work to "get the Authority this far." Andrew Michael Holness, Prime Minister of Jamaica, lauded the progress of ISA saying "we can be justly proud of the achievements" and "eternally grateful to those who have guided us on the voyage thus far," while in the same breath calling on states to recommit to the sustainable and equitable utilization of maritime resources.

During lunchtime, the Authority's database was launched, with several noticing the opportunities to increase ocean literacy, and others viewing it as a tool for awareness raising. "We have certainly come a long way from the days of submitting contract information on floppy discs," quipped one delegate from a sponsoring state. "This could really help to bring the spotlight to work of ISA," opined another, "by killing two birds with one stone: creating awareness and increasing transparency." As delegates acknowledged the great strides taken for a quarter of a century, several were also outlining their expectations for the next twenty-five. One member stated "we know the next 25 years will be different from the last 25, it is up to us to make right decisions now to be sure we have good reason to celebrate in 2044."

The *Earth Negotiations Bulletin* summary and analysis of the 2nd Part of ISA-25 will be available on Monday, 29 July 2019, at <https://enb.iisd.org/oceans/isa/2019-2/>