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Request for observer status in accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly on behalf of the African Minerals Development Centre

Note by the secretariat

1. On 2 May 2016, the African Minerals Development Centre submitted a letter to the Secretary-General of the International Seabed Authority, requesting observer status in the Assembly of the Authority. The text of the letter and additional information provided by the applicant are contained in annexes I and II to the present note.
2. In accordance with rule 82, paragraph 1 (e), of the rules of procedure of the Assembly, non-governmental organizations with which the Secretary-General has entered into arrangements in accordance with article 169, paragraph 1, of the United Nations Convention on the Law of the Sea, and other non-governmental organizations invited by the Assembly that have demonstrated their interest in matters under consideration by the Assembly, may participate as observers in the Assembly.
3. Paragraphs 5 and 6 of the same rule further provide that observers referred to in paragraph 1 (e) of that rule may sit at public meetings of the Assembly, and upon the invitation of the President and subject to approval by the Assembly, may make oral statements on questions within the scope of their activities, and that written statements submitted by observers referred to in paragraph 1 (e) of that rule within the scope of their activities that are relevant to the work of the Assembly should be made available by the secretariat in the quantities and in the languages in which the statements are submitted.



Annex I

Letter dated 2 May 2016 from the Acting Coordinator and Senior Mineral Sector Governance Adviser, Kojo Busia, and the Head of the Geology and Mineral Information Unit, Kaiser de Souza, of the African Minerals Development Centre addressed to the Secretary-General of the International Seabed Authority

The African Minerals Development Centre (AMDC) respectfully requests recognition by the Assembly as an observer to the International Seabed Authority under the provisions of rule 82 (1) (e) of the rules of procedure of the Authority.

AMDC was established by the Conference of African Ministers Responsible for Mineral Resources Development and the African Union Heads of State and Government to provide strategic technical support capacity for implementing the Africa Mining Vision and its Action Plan.

The Africa Mining Vision seeks to create a “transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socioeconomic development”. The vision of AMDC is to become the facilitator of choice to enable States members of the African Union to achieve the Vision.

The programmatic focus of AMDC is in policy and licensing, geological and mining information systems, governance and participation, artisanal and small-scale mining, linkages, investment and diversification, building human and institutional capacity and communication and advocacy.

AMDC is:

- (a) A one-stop information centre on best practice in sustainable mining policy and management, as well as information-sharing and networking, to support sustainable mining practices and development;
- (b) A continental forum for countries, stakeholders and donors to discuss innovative ways to increase mining’s contribution to sustainable development and poverty reduction in Africa;
- (c) A focal point for identifying the needs of member States in the management of the mining sector and deploying appropriate expertise;
- (d) A source of technical expertise to help African countries to manage their mining sector responsibly and transparently;
- (e) A research centre to promote mining policy harmonization among African countries.

AMDC views the minerals of the deep ocean floor as a resource of growing economic potential. We believe that the Authority, sponsoring States, contractors and AMDC itself can all benefit from the involvement of AMDC as an official non-governmental observer with the International Seabed Authority, and respectfully request your support with the present application for recognition.

(Signed) Kojo **Busia**

Acting Coordinator of AMDC and Senior Mineral Sector Governance Adviser

(Signed) Kaiser G. **de Souza**

Head of the Geology and Mineral Information Unit

Annex II

International Seabed Authority observer status request

1. Name of organization

African Minerals Development Centre (AMDC)

2. Address of office

Economic Commission for Africa
PO Box 3001
Addis Ababa
Ethiopia

3. Name and address of proposed primary representatives

Acting Coordinator of AMDC
Kojo Busia
Senior Mineral Sector Governance Adviser
African Mineral Development Centre
Economic Commission for Africa
E-mail: KBusia@uneca.org

Deep seabed mining expert
Kaiser G. de Souza
Head, Geology and Mineral Information Unit
African Minerals Development Centre
Economic Commission for Africa
E-mail: KSouza@uneca.org

4. Aims and purpose of AMDC

AMDC was established by the Conference of African Ministers Responsible for Mineral Resources Development and the African Union Heads of State and Government to support the coordination and implementation of the Africa Mining Vision. Its core mission is to work with States members of the African Union and their national and regional organizations, including the African Union Commission, the New Partnership for Africa's Development (NEPAD) Planning and Coordinating Agency and the regional economic communities, to enable mineral resources to play a greater transformative role in the development of the continent through increased economic and social linkages, and in this manner, help to address its intractable poverty and limited development.

AMDC is supporting countries to implement the Africa Mining Vision by facilitating the implementation of the Country Mining Vision Guidebook, using a participatory process, to set out the expectations of Governments, businesses, communities and civil society around minerals, their extraction and use, and how they will benefit society and development more widely.

AMDC sees the country mining vision process as a way of bringing together agriculture, infrastructure, manufacturing and other sectors with earth science to look at broader development issues. Furthermore, when a country undertakes a country mining vision, the highest levels of government are engaged and it is an

opportunity for the earth science community to raise key issues relating to earth science functions across the Government. This includes highlighting the functions of geological survey organizations, universities and other institutions, as well as the issues of funding, capacity retention, filling of data gaps and the arrangement of earth sciences function across the Government.

The alignment of the Africa Mining Vision to a country's overall development vision requires member States to promote and implement a new paradigm that serves medium-term and long-term objectives for structural economic transformation and inclusive growth.

5. History

African Heads of State and Government adopted the Africa Mining Vision in 2009 with the long-term goal of attaining “transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socioeconomic development”. It is the continent's own response to tackling the paradox of great mineral wealth existing side by side with pervasive poverty.

The Africa Mining Vision is a strategy for integrating the African mining sector into the continent's broader social and economic development processes, thereby addressing persistent poverty and underdevelopment. This is an attempt not only to address the sector's isolation from mainstream social and economic activities, but also to create win-win outcomes for all stakeholders.

In addition to adopting the Africa Mining Vision, at its first ordinary session, the Conference of African Ministers Responsible for Mineral Resources Development adopted the Addis Ababa Declaration on Development and Management of Africa's Mineral Resources, in which it reaffirmed the commitment to the prudent, transparent and efficient development and management of African mineral resources to meet the Millennium Development Goals, eradicate poverty and achieve rapid and broad-based sustainable socioeconomic development. In 2009, the African Union endorsed both the Vision and the Declaration and requested the Conference to develop a concrete action plan for the realization of the Vision.

The Action Plan was subsequently approved at the second ordinary session of the Conference of African Ministers Responsible for Mineral Resources Development, held in Addis Ababa in December 2011, and through the Addis Ababa Declaration on Building a Sustainable Future for Africa's Extractive Industry — from Vision to Action, the ministers endorsed it as the continental tool for guiding the prudent, transparent and efficient development and management of African mineral resources in order to meet the Millennium Development Goals, eradicate poverty and secure broad-based sustainable socioeconomic development. The ministers further approved the establishment of a mineral development centre to provide strategic technical support capacity to the African Union/NEPAD, the regional economic communities and member States for the implementation of the Action Plan and hence the Africa Mining Vision, and called upon development partners to support the activities of the proposed centre.

The outcomes of the second ordinary session were endorsed by the Executive Council of the African Union in July 2012, in decision EX.CL/Dec.714 (XXI). The Council requested the African Union Commission and NEPAD Planning and Coordinating Agency, in collaboration with the regional economic communities,

ECA and the African Development Bank, to submit to the Assembly, every two years, progress reports on the implementation of the Action Plan.

The above-mentioned decisions provide strong mandates for both implementing the Africa Mining Vision and establishing AMDC.

6. Structure

AMDC is a facilitator of choice to enable States members of the African Union to achieve the Africa Mining Vision. It was initially created as a project hosted by ECA and implemented in partnership with the African Union Commission, ECA, the United Nations Development Programme (UNDP) and the African Development Bank.

Furthermore, according to the decision taken during the first extraordinary session of the Conference of African Ministers Responsible for Mineral Resources Development, held in Livingstone, Zambia, from 22 to 26 November 2014, AMDC should be established as a specialized agency of the African Union responsible for mineral resources development in Africa.

The work of AMDC has been built around seven results areas, all derived from the Action Plan, as follows:

Results area 1: policy and licensing

The expected outcomes are:

- (a) Enhanced capacity for mineral policy design and understanding the mining value chain;
- (b) The mining sector in Africa supports a broader share of social and economic development objectives;
- (c) African countries receive an enhanced share of mineral revenue over a given project cycle.

Results area 2: geological and mining information systems

The expected outcomes are:

- (a) Improved decision-making capabilities to manage the mining sector, as well as other sectors requiring geospatial information;
- (b) Improved national and subregional capacity to manage geological and geospatial information for broader development objectives.

Results area 3: governance and participation

The expected outcomes are:

- (a) Strengthened stakeholder capacity to participate fully in governance processes;
- (b) Improved balance and equity in decision-making in the mineral sector;
- (c) Improved human rights in the mineral sector in Africa;

(d) Improved social and environmental management of the mineral sector in Africa.

Results area 4: artisanal and small-scale mining

The expected outcomes are:

- (a) Viable and sustainable artisanal and small-scale mining sector;
- (b) Strengthened capacity of artisanal and small-scale mining operators;
- (c) Reduced negative environmental, health and welfare impacts from artisanal and small-scale mining.

Results area 5: linkages, investment and diversification

The expected outcomes are:

- (a) Increased private sector funding for research and development, leading to greater knowledge generation;
- (b) Strengthened government planning capacity for integrated development and mapping of economic links between the mineral sector and other sectors of the economy;
- (c) Greater domestic availability of investment finance, leading to greater wealth creation and ownership by nationals;
- (d) Integrated mining infrastructure and spatial development in Africa, providing for greater direct and indirect economic and social benefits;
- (e) Improved cross-border harmonization of infrastructure planning and regulatory frameworks around mining activities.

Results area 6: building human and institutional capacity

The expected outcomes are:

- (a) Mining sector with a greatly strengthened and competitive skill base;
- (b) Strengthened capacity of stakeholders to make decisions affecting various aspects of the mineral value chain;
- (c) Educational and training delivery in which learning outcomes are aligned with the economic and social development objectives of the Africa Mining Vision;
- (d) Liberal movement of skills across regions as a result of the accessibility and accreditation of education and training facilities.

Results area 7: communication and advocacy

The expected outcomes are:

- (a) Enhanced awareness and understanding among stakeholders of the Africa Mining Vision and AMDC activities and the role of those activities in the economic and social transformation of African mining countries;
- (b) Strengthened capacity of stakeholders to make informed decisions affecting various aspects of the mineral value chain;

- (c) Strengthened acceptance and ownership of the Africa Mining Vision and AMDC activities by all stakeholders in African mining countries;
- (d) Increased access to information and knowledge packaging, resulting in improved analysis and decision-making.

7. AMDC partners and staff

Carrying out the diversified activities of AMDC necessarily requires a very broad range of expertise, as well as partnerships. Most of the identified activities cannot be exclusively implemented by the Centre. A key component of the AMDC mandate, therefore, is to coordinate expertise from other organizations, on the basis of their comparative advantage, and place it at the disposal of the States members of the African Union. On the basis of stakeholder consultations, preliminary indicative partnerships have been mapped for the AMDC results areas. AMDC develops many modes of cooperation with its partners, including funding, joint research, secondment of staff, partnerships in capacity-building, education and training. It is important that all cooperative activities be compliant with the Africa Mining Vision and that AMDC maintain ownership and control over joint activities.

The primary partners of AMDC are the African Union Commission, the African Development Bank, UNDP and ECA, which will also provide operational support in their own right.

Collectively, AMDC staff have more than 100 years of professional experience relevant to the extractive sector, acquired living and working in all five regions of Africa, South-East Asia, Australasia, the Caribbean, Central and Western Europe, North America and South America.

Along with dozens of local languages and lingua francas, AMDC staff are fluent in seven official national African languages (Amharic, Chichewa, English, French, Portuguese, Spanish, Swahili and Twi). They are engaged in targeted and systematic activities to enhance the implementation of the Africa Mining Vision across Central, East, West and Southern African countries, as well as globally, leveraging opportunities despite the downturn in commodities.

AMDC has been staffed by international experts representing several nations in Oceania and five of the world's seven continents.

8. Recent activities

The recent activities of AMDC were developed with the aim of fostering the institutionalization of the Africa Mining Vision for mineral sector management; the AMDC footprint is discernible in more than 24 countries — about half of all States members of the African Union; four of the regional economic communities of the African Union, plus the International Conference of the Great Lakes Region; and key global initiatives. The main activities of AMDC include:

- (a) Policy and licensing:
 - (i) Advancing a new mining bill in Lesotho;
 - (ii) Reviewing policy/regulatory frameworks in all six countries of the East African Community (Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania);

- (iii) Enhancing the Regional Sharefair on Gender Equality in the Extractive Industries: Building on Good Practices, in the African extractive industries sector;
- (b) Geological and mineral information systems:
- (i) Developing a desktop review of African geological survey organization capacities and gaps;
- (ii) Developing a geological and mineral information systems strategy to facilitate the strengthening of the African production, management and dissemination of geological and mineral information in Africa;
- (iii) Engaging in the discussion for the preparation of the International Seabed Authority mining code for the exploitation of mineral resources from the international seabed area;
- (iv) Providing technical assistance in and co-sponsorship of the development of *Africa's Blue Economy: A Policy Handbook*;
- (v) Assessing the technical capability of the African Minerals and Geosciences Centre to act as a continental centre of excellence for the implementation of projects and activities in the context of the Africa Mining Vision;
- (c) Governance and participation:
- (i) Implementing the country mining vision in eight countries (Ghana, Guinea, Kenya, Lesotho, Malawi, Mali, the Niger and Sierra Leone);
- (ii) Supporting the mineral beneficiation agenda of the Common Market for Eastern and Southern Africa, through a beneficiation study initiated in the Southern African Development Community (SADC) region (15 member States);
- (iii) Mapping SADC mining sector skills;
- (iv) Collaborating with the secretariat of the International Conference of the Great Lakes Region and the Organization for Economic Cooperation and Development (OECD) to provide technical support towards harmonizing artisanal and small-scale mining policies throughout the subregion (12 member States);
- (v) Designing an adapted curriculum for the West African Economic and Monetary Union regional school of mines at its planned continental centre of excellence (8 member States);
- (vi) Preparing studies on an East African Community policy review of artisanal and small-scale mining country profiles; capacity-building programmes; building communities of practice/knowledge networks, for example, a civil society organizations forum; and a continental chamber of mines;
- (vii) Supporting the preparation of an African mining legislation atlas;
- (viii) Assisting in the implementation of the “Strengthening assistance for complex contract negotiations” initiative of the Group of Seven;

- (ix) Supporting the OECD Policy Dialogue on Natural Resource-based Development;
- (x) Engaging with the African Minerals Geoscience Initiative;
- (xi) Building communities of practice through the nascent Africa Mining Vision compact with the private sector;
- (d) Artisanal and small-scale mining efforts: researching and reporting on the environment for the implementation of the Africa Mining Vision, on the basis of fieldwork and the collection and analysis of data profiling artisanal and small-scale mining in 16 countries;
- (e) Linkages, investment and diversification:
 - (i) Preparing studies and reports on the challenges and opportunities for leveraging the potential of linkages along the mineral value chain in respect of Botswana, Ghana, Kenya, Uganda and the United Republic of Tanzania;
 - (ii) Preparing a technical proposal on engaging the private sector for inclusive extractive industries and a sustainable value chain;
 - (iii) Preparing a study on the subject “impact of illicit financial flows on domestic resource mobilization: optimizing Africa’s minerals revenues”;
 - (iv) Preparing a report on the extractive industry, using the cement sector in Nigeria and the mineral sector in South Africa as case studies;
 - (v) Providing input to the African Commodity Strategy;
 - (vi) Developing an innovative forward-looking taxonomy of minerals based on their potentials for linkages and diversification;
- (f) Human and institutional capacity:
 - (i) Assisting in a Development Account project on extractive industry contract negotiations, focusing on five countries (Chad, the Congo, Equatorial Guinea, Malawi and the Niger);
 - (ii) Engaging with various stakeholders to align global initiatives with the principles of the Africa Mining Vision, in particular the “Strengthening assistance for complex contract negotiations” initiative of the Group of Seven;
 - (iii) Strengthening technical assistance in resource-rich African countries;
 - (iv) Collaborating with ECA and the United Nations Conference on Trade and Development;
- (g) Communications and advocacy:
 - (i) Helping the completion by the Government of Lesotho of a minerals and mining policy compliant with the Africa Mining Vision, July 2015;
 - (ii) Participating in the development of the Kampala Resolutions on Manufacturing, adopted at the first Manufacturing Business Summit, hosted by the Government of Uganda in September 2015;
 - (iii) Keynote address by the African Union Commissioner on valorising West Africa’s mineral and petroleum resources through regional cooperation, given

at the first Economic Community of West African States Mining and Petroleum Forum, held in Ghana in October 2015;

(iv) Presentation on how the Africa Mining Vision emphasizes opportunities for gender equality in mining, given at the Regional Sharefair held in Nairobi in October 2015;

(v) Africa Mining Vision compact with private sector leaders in Africa, October 2015, and provision of technical support to Sierra Leone for its new mineral policy, December 2015.

9 Descriptive statement of the extent to which the purposes of AMDC relate to those of the International Seabed Authority, including, in particular, the contributions that can be made to the progress of the Authority

The main areas of focus of AMDC are in policy and licensing; geological and mining information systems; governance and participation; linkages, investment and diversification; building human and institutional capacity and communication and advocacy. These areas of focus are closely linked to the Authority's mandates relating to the sustainable development of the mineral resources of the international seabed areas.

With regard to facilitating and fostering the establishment of a deep sea mining governance framework for Africa:

(a) AMDC, as a centre of excellence, can contribute to the work of the Authority in the process of developing and reviewing policy/regulatory frameworks for the deep sea mining sector, including the fiscal and legal regime and environmental regulation and management;

(b) AMDC can also contribute with its experience in the development of strategies to facilitate the strengthening of the production, management and dissemination of environmental, geological and mineral information, as well as in the assessment of the technical capability of African countries in their membership of the International Seabed Authority;

(c) AMDC would use its technical expertise to mobilize African States in harnessing the economic benefits of deep sea mining with a view to enhancing domestic resources for leveraging the potential of linkages and diversification along the mineral value chain. This includes studies, training and capacity-building in the blue economy.