



ASEAN Regional Conference on the 40th Anniversary of the 1982 UNCLOS: Promoting Legal Order for the Seas and Oceans

The ASEAN Secretariat, Jakarta

29 November 2022

STATEMENT

by

H.E. Mr. Michael W. Lodge

Secretary-General of the International Seabed Authority

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Excellency,

Ladies and gentlemen,

Dear colleagues,

It is a great pleasure for me to participate in this Conference marking the 40th Anniversary of the adoption of the United Nations Convention on the Law of the Sea.

I wish to express my sincere gratitude to the government of Indonesia as well to the ASEAN for inviting the International Seabed Authority to be represented today and for the steady support provided to our mandate and work over the years. I only wish that I could be with you today in person, but I hope that the upcoming year will give me another opportunity to come to Indonesia.

Distinguished delegates, the UN Convention on the Law of the Sea has been a fundamental instrument for promoting legal order and peace in the oceans over the past 40 years.

The reality, however, is that today the world faces many challenges. Multilateralism is in retreat. The rule of international law is threatened by unilateral action. Inequity is increasing and the prospects of achieving the Sustainable Development Goals by 2030 become more challenging each year.

Against this background, the success of the legal regime for the deep seabed beyond national jurisdiction – the Area – guaranteed by the Convention and the 1994 Implementing Agreement, offers a concrete example

of how the international community can come together to ensure sound and careful management of global public goods for the benefit of humanity as a whole.

The deep seabed, covering 54 percent of the global ocean, is the only example that we have of a global commons that has been set aside to be managed internationally for the common good.

Today, this space is the frontier for cutting-edge marine science, technological innovation, and deep-sea exploration. The prospects offered by this new frontier, which is the common heritage of all humanity, are enormous. The research being undertaken will enable us to better understand our planet and further develop a sustainable future. The rich mineral deposits found on the sea floor and the biodiversity associated with them also create exciting opportunities for sustainable development.

The regime for the deep seabed lies at the heart of the entire system of global ocean governance under the Convention. The regime, and the institution it created – the International Seabed Authority – provides us with a central platform for trade-offs between States based on consensus building. Without the Authority, we could easily have seen rampant unrestrained exploitation of the deep seabed and appropriation of its resources for the benefit of only a few.

Instead, the regime has succeeded beyond all expectations in its primary objective of preventing unilateral claims to deep seabed resources. Since 1982, all claims to potential mine sites have been dealt with strictly in accordance with the provisions of resolution II, the 1994 Agreement and the regulations adopted by the international community through the Authority.

Over the past 40 years, we have also seen the progressive development of a sophisticated and balanced legal regime, open to equal participation by developed and developing States, anchored in the precautionary approach, transparency, and equity, and making a meaningful contribution to 12 of the 17 Sustainable Development Goals.

Through the development and implementation of a set of rules and standards governing deep sea mining and related activities, including marine scientific research in the Area, it becomes possible to balance the need for resource extraction with the preservation of the marine environment. All environmental decisions are based on the best available science and a responsible application of the precautionary approach.

The universal character of the Convention and its comprehensive governance system for the Area is reflected in the full and active participation of 168 States parties in the regime.

What is important now is to reinforce our collective action to ensure that this framework is respected and reinforced and, most of all, that the institutions created for its implementation are strengthened and not undermined.

This means that, first, we should avoid being complacent. The Convention is a fundamental part of the rules-based international order that has ensured peace at sea for 40 years and we should not take it for granted.

Second, it is critical that States take a consistent approach to implementation of the provisions of the Convention. Each chapter of the Convention is an integral part of the whole. Its provisions reflect the ecological unity of the ocean and are carefully designed to respond to the interests of all States, including developing States. We cannot pick and choose different elements depending on the circumstances and the interests of particular constituencies. At the national level, better coordination and cooperation between different sectoral interests is essential.

Third, because the Convention is a dynamic treaty, it can adapt to the new challenges of our time. It is flexible and remarkably modern. For that reason, it is essential that States parties remain vigilant to ensure that all provisions of the Convention are implemented effectively and that the institutions mandated for this purpose are supported.

40 years later, we know much more and much better how important it is to ensure that all activities undertaken in the ocean be carried out with care and applying a precautionary approach.

We also know that we are becoming more and more reliant on the ocean, particularly developing States whose rights to access ocean resources should be respected and even strengthened.

Our world as we know it today will depend on how collectively we can preserve this balance.

As we mark this fortieth anniversary of its adoption, I trust that together we will be able to unite once again around the vision of peace, security and cooperation that is reflected in the Convention.

I hope that we can also work together to promote equitable and efficient utilization of the ocean's resources to achieve the economic and social advancement of all peoples of the world.

It is our joint responsibility and our legacy.

Thank you.
