

Responses from the ISA Secretariat to Mr. Lipton – 2 July 2024

Staff at the ISA have told the NYT that Mr. Lodge inappropriately named Dr. Marie Bourrel-McKinnon to the post of Chief of Staff & Head of Strategic Planning Unit without having previously received approval from the Assembly for this position. What is Mr. Lodge's response to this assertion?

This is not accurate. Dr. Bourrel-McKinnon was recruited to her current position based on merit following a competitive recruitment process in accordance with established procedures, including interview by an external interview panel (in which the Secretary-General played no part). The recruitment process was in full compliance with all relevant and applicable HR procedures and practices.

Several ISA permanent representatives have said to me that at a meeting of the African group Mr. Lodge told those assembled that a senior position at the ISA could be reserved for someone from the African group, as a way to ensure that the African nations felt included in ISA leadership. This post might include the ISA legal counsel position, I was told. Mrs. Khalilah Hackman, Minister-Counsellor, Legal Adviser, Permanent Mission of Ghana to the United Nations, was mentioned as one possible candidate for the Legal Counsel job at the ISA.

Staff positions at ISA are not at the discretion of the Secretary-General nor are positions reserved for any particular regional group. All vacant positions are advertised through official channels and subject to competitive recruitment. With respect to the position of legal counsel, there is no vacancy at present.

Other ISA permanent representatives told me that there has been a discussion including perhaps helping certain nations with two years worth of arrears to cover those past due payments so that they could vote in the Secretary General election. Is that an offer you have made to any nations or their representatives?

The Secretariat is not aware of any such proposal. All payments of member State assessed contributions, in full or in part, are properly receipted against invoices, banked, and credited to the General Administrative Fund of ISA. The status of contributions is publicly available on the ISA website contributions dashboard and is updated every two weeks.

Others have told The NYT about offers to pay travel costs to the ISA Assembly meeting in July/August to encourage certain nations to be present to vote, or the intense effort to arrange proxy votes for nations that do not have representatives present. Is this appropriate to make these kinds of offers to try to influence the outcome of the election of SG?

The administration is not aware of any such proposals. However, ISA has a voluntary trust fund for participation in meetings of the Council. Some developing countries may be eligible, in certain specific circumstances, for travel support from this fund.

Regarding proxy voting, this is a well-established practice in international organizations, including in ISA, but there are very specific procedures to ensure that proxies are properly authorized. Many countries have inquired about the possibility of proxy voting and the applicable procedures and, as is normal, the ISA legal office has prepared standardized guidance to respond to these enquiries. To date, only one proxy voting credential has been received by the Secretariat.

There has been an extremely large number of turnovers in top ISA positions in the last three or so years, in some cases with several cycles through different executives for the same position. Some former employees point to Mr. Lodge as the reason for this high turnover, and disputes with employees and in some cases, improper or forced terminations. What is Mr. Lodge's reaction to these assertions?

Regular turnover of internationally recruited staff is normal in a small international organization like ISA. Staff may decide to move on to other postings for a variety of different reasons including end of contract, end of secondment, retirement or resignation.

The administration is not aware of any cases of forced terminations, but as noted previously staff have the opportunity to file complaints with an independent panel through the usual United Nations procedures should they wish to do so.

Some ISA permanent representatives and other ISA associated diplomats have said to me that they question the travel that Mr. Lodge has done in 2024--to China, Cameroon, Japan, Egypt, Italy, and the Caribbean nation of Antigua and Barbuda, among other stops. These individuals believe that Mr. Lodge has inappropriately been using ISA resources as part of a re-election campaign. What is Mr. Lodge's response to these assertions?

The Secretary-General of ISA is required in his capacity to travel to meet member States and partners. In many cases, the cost of travel of the SG is covered fully or partially by host countries.

Please see the previous response concerning financial audits for any questions regarding ISA finances.

Questions related to a complaint through OIOS

A former Human Resources executive at the ISA has filed a complaint with the Investigations Division of the Office of Internal Oversight Services (ID Case No. 0784/24) in May 2024, asserting that Mr. Lodge, as well as Dr. Marie Bourrel-McKinnon were improperly reimbursed by the ISA for certain expenses. A copy of this complaint--and the attached spreadsheet--were provided to The NYT. Emails also show that a copy of this complaint was sent to Mr. Lodge. What is Mr. Lodge's response to the suggestion that he was improperly paid at least \$67,443 and that Dr. Bourrel-McKinnon was improperly paid \$45,878. Are these claims justified and accurate?

Emails reviewed by the NYT revealed that the United Nations Office of Internal Oversight Services concluded that it does not have jurisdiction over allegations of improper expenses, so it sent the complaint back to the Seabed Authority to evaluate. Isn't this a conflict of interest for Mr. Lodge

and the Seabed Authority? How should concerns over improper activity at the authority be properly evaluated? Who evaluated them in this particular instance?

We are obviously concerned that a confidential report to OIOS has been leaked to the NYT .

Before turning to the substance of your question, some context to the complaint may be useful. The complainant is a former HR Associate with ISA, who retired in March 2022. Since 2020 she had been seeking payment of a mobility incentive allowance which was denied by the administration on the grounds that she was not entitled to such payment. The complainant did not seek administrative review of the decision not to pay her mobility allowance, nor did she appeal against the decision.

We also note that her complaint implicates not only the persons named by you in your question, but a total of 18 ISA staff members (and members of their families) in relation to issues going back many years. We do not wish to comment on any specific allegations at this time but simply to note that they are generally imprecise, lack evidentiary foundation and may be considered to be an attempt by a discontented former staff member to throw mud in the hope that some of it may stick. Many of the allegations made have already been aired before, including by NYT, and have been shown to lack any substance. The administration is fully confident that all entitlements and payments received by staff of ISA are processed independently of the staff members involved and the Secretary-General and approved only if they are aligned with the staff rules and regulations. The secretariat is also subject to annual audit, none of which has discovered any unauthorized or improper payment of any kind.

ISA has robust and independent procedures in place to deal with staff grievances and complaints and is committed to ensure that legitimate complaints are dealt with in a fair and transparent manner that follows all rules and principles of good governance established for the United Nations system.