



STATEMENT BY THE REPUBLIC OF MALAWI
GENERAL DEBATE OF THE ASSEMBLY
THIRTY-FIRST SESSION OF THE INTERNATIONAL SEABED
AUTHORITY
ITEM 9 — ANNUAL REPORT OF THE SECRETARY-GENERAL
KINGSTON, JAMAICA — JULY 2026

Mr President,

Malawi thanks the Secretary-General for her annual report, and for the report on the implementation of the Authority's action plan in support of the United Nations Decade of Ocean Science.

Malawi has no coastline. Malawi is also the first landlocked State to have ratified the BBNJ Agreement. There is no contradiction between these two facts. Article 140 of the Convention resolves it: activities in the Area are to be carried out for the benefit of humankind as a whole, irrespective of the geographical location of States, whether coastal or landlocked. It is on that basis, and with that mandate, that my delegation takes the floor today.

Mr President, this Authority meets at a moment when two realities have come into sharper focus.

The first is that our regulatory framework remains incomplete. The Council has acknowledged that, while numerous standards are referenced in the draft regulations, few have yet been developed. That is a candid and welcome assessment, and it must be matched by equal candour in our response. Malawi will support a roadmap to adoption that is governed by conditions, the completion of the necessary standards and

guidelines, and the sufficiency of the underlying science, rather than by a date fixed in advance of either. A timeline set before its conditions are met is not a plan; it is an invitation to compromise rigour.

The second is that a parallel pathway to the resources of the Area has emerged outside the framework of this Convention, and is now operational. Applications have been advanced under the domestic law of a State not party to the Convention, including in areas that overlap with those under contract with this Authority. My delegation casts no aspersions on any State. We simply recall the legal framework to which we have all committed ourselves. Article 137 provides that no State or person may claim, acquire, or exercise rights over the minerals of the Area except in accordance with Part XI, and that no such claim shall be recognised. Article 311 affirms that there shall be no derogation from the principle of the common heritage of humankind, and no participation in agreements that undermine it. These provisions guide our conduct. They are not judgments upon others; they are obligations upon ourselves.

Mr President, Malawi supports a precautionary pause on deep-seabed exploitation. Let me be precise about what that means. It is not a prohibition, and it is not a rejection of science, of industry, or of the energy transition — all of which Malawi supports and stands to benefit from. It is the logical expression of a legal duty. Article 145 requires this Authority to ensure the effective protection of the marine environment. The Seabed Disputes Chamber has affirmed that the precautionary approach forms an integral part of the due diligence obligations arising under the Convention. Where the science necessary to prevent serious harm remains incomplete, the Authority cannot proceed as though it were sufficient.

Malawi therefore respectfully places three requests before this Assembly.

First, the adoption of a roadmap governed by conditions, not by the calendar.

Second, the submission of a properly framed request to the Seabed Disputes Chamber for guidance on the implications, for our obligations under the Convention, of activities in the Area undertaken outside it.

Third, the development of a benefit-sharing mechanism that meaningfully reaches States which neither sponsor contractors nor hold contracts. Malawi flies no flag in the Clarion-Clipperton Zone, and our nearest harbour lies in the territory of a neighbour. If the common heritage of humankind is to retain its meaning, it must be tangible even for States such as mine.

Mr President, permit me to close with a memory. In March 2023, Tropical Cyclone Freddy, the longest-lasting tropical cyclone ever recorded, reached Malawi at the end of its passage across the Indian Ocean. In the span of six days, it delivered six months of rain upon our Southern Region. More than one thousand of our people were killed or remain unaccounted for. More than six hundred and fifty thousand were displaced. Over two hundred thousand hectares of cropland were washed away or submerged, on the eve of the harvest.

Malawi has no coastline. Yet we have felt the full force of the ocean.

That alone is reason enough to protect it.

I thank you.